# HISTORY

OF

# GREAT BRITAIN,

FROM

## THE REVOLUTION

TO THE

## ACCESSION OF THE HOUSE OF HANOVER.

*By W. BELSHAM.*

IN TWO VOLUMES.
VOL. II.

Ac mihi quidem videntur huc omnia eſſe referenda ab iis qui præſunt aliis, ut ii qui eorum in imperio erunt, ſint quàm beatiſſimi. CICERO.

Beneficio quàm metu obligare homines malit; exteraſque gentes fide ac ſocietate junctas habere quàm triſti ſubjectas ſervitio. LIV. lib. 26.

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HISTORY

# HISTORY

OF

# GREAT BRITAIN.

## BOOK IV.

## K. WILLIAM III.

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*ſion of Lord Somers. Affairs of Scotland. State of Europe. Treaty of Travendahl. Death of the Duke of Gloceſter. Demiſe of the King of Spain. Violation of the ſecond Treaty of Partition by France. Its political Conſequences. Seſſion of Parliament. Predominance of the Tories. Debates reſpecting the Spaniſh Succeſſion. High Demands of the Maritime Powers. The Lords Portland, Orford, Somers, and Halifax impeached. Act of Settlement. Angry Diſputes between the Two Houſes. Kentiſh Petition. Proceedings of the Convocation. Second Grand Alliance. Military Tranſactions in Italy. Death of King James II. Recognition of the Pretender by France. Departure of the Engliſh Ambaſſador. Reſentment of the Engliſh Nation. Whigs regain their Aſcendency and Popularity. Seſſion of Parliament. Energetic Speech of the King. Bill to attaint the Pretender. Bill of Abjuration. Illneſs and Death of the King. His Character.*

THE King returned not to England till the month of December 1698, and the Nation ſeemed not well pleaſed that their Sovereign, now that the war was terminated, ſhould continue to paſs ſix months of the year upon the Continent—the greater part of it ſpent, as was well known, in indolent retirement at Loo.

The new Parliament, which had been originally convened

convened for the 27th of September, had been ſomewhat trifled with, after aſſembling in town, by ſhort and repeated prorogations; and at laſt met December the 6th, in a humour not very placid. Various cauſes concurred to irritate and inflame the minds of the People and of the Parliament at this period, and to depreſs the credit of the Whigs; amongſt which the chief was the unconſtitutional attempt made in the laſt ſeſſion to maintain and perpetuate a ſtanding army in time of peace. The next in magnitude was the recent eſtabliſhment of the Scottiſh Mercantile Company, which continued to excite great and increaſing alarm in the commercial world. The third was the erection of a new Eaſt India Company; by which the Tories were beyond meaſure exaſperated, and which they took infinite pains to repreſent as an inſtance of unparalleled partiality and oppreſſion on the part of the Whigs. The choice made by the Commons of Thomas Lyttleton as Speaker was nevertheleſs conſidered as a favorable omen by the Court; but the inference proved very fallacious.

The King in his ſpeech ſtrongly urged to the Parliament, as a matter which demanded their immediate conſideration, what force ought to be maintained at ſea and land, this year. "To preſerve," ſaid the Monarch, "to England the weight and influence it has at preſent on the councils and

affairs abroad, it will be requiſite Europe ſhould ſee you will not be wanting to yourſelves." The indiſcreet conduct of the King in retaining a military force ſo much larger than the laſt Parliament had voted or provided for, could not in the diſcuſſion of this ſpeech remain longer unacknowledged: and the reſentment, or rather rage, of the Commons inſtantaneouſly broke out in a very unuſual manner. Omitting to return any anſwer or addreſs whatever to the Throne, they proceeded to paſs a reſolution, "that all the land-forces in Engliſh pay, exceeding 7000 men, and thoſe conſiſting of his Majeſty's natural-born ſubjects, be forthwith diſbanded." "If," ſaid Sir Charles Sedley, ſpeaking in ſupport of the reſolution, "we are true to ourſelves, theſe are enow; if not, 100,000 are too few."

The Miniſters, ſeeing the temper of the Houſe, would not venture to oppoſe the torrent; and the Bill founded upon the reſolution paſſed almoſt without debate. Nothing could exceed the mortification and chagrin manifeſted by the King upon this occaſion. It is even affirmed that he harbored ſerious thoughts of abandoning the Government to a Regency nominated by Parliament, and fixing his reſidence in Holland: and there is extant a Speech, which it is pretended he had reſolved to make to the two Houſes on announcing to them his intention. But this peeviſh and ſplenetic idea, if it was ever entertained, was almoſt as ſoon relinquiſhed.

linquiſhed *. Lord Sunderland, who knew human nature too well to give eaſy credit to ſuch ſurmiſes, on being informed that the King threatened to throw up the Crown, exclaimed with ſarcaſtic contempt, "Does he ſo? There is Tom Pembroke"—meaning the Earl of Pembroke—"who is as good a *block of wood* as a King can be cut out of; we will ſend for him, and make him our King †!"

On the 1ſt of February 1699 the King went to the Houſe of Lords, and gave the royal aſſent to the Bill, according to his own declaration, "as ſoon as he underſtood it was ready." At the ſame time he expreſſed his opinion in a Speech to both Houſes, "that there was great hazard in breaking ſuch a number of troops, and his chagrin at the removal of thoſe guards which had come over with him to their aſſiſtance, and who had conſtantly attended him in all the actions wherein he had been engaged. But as nothing could be ſo fatal as any diſtruſt or jealouſy between him and his People, he had for that reaſon alone been induced to paſs the Bill: and he deſired not to be conſidered as reſponſible for its conſequences." The Houſe of Commons were now ſo far gratified as to preſent an Addreſs to the King, acknowledging themſelves "ſenſible of the difficulties he had undertaken, the labors he had ſuſtained, and the hazards he had run in reſcuing them from popery

* Burnet. Tindal, vol. ii. p. 467. † Ralph.

and arbitrary power, reſtoring their liberties, and giving peace and quiet to Chriſtendom; and aſſuring him that they would on all occaſions ſtand by and aſſiſt him in the preſervation of his ſacred perſon and ſupport of his Government, againſt all his enemies whatſoever."

On this apparent return of good humour, the King made an ultimate effort to ſoften the moſt rigid and painful clauſe of the act, by a royal meſſage written with his own hand, delivered to the Commons by Lord Ranelagh, couched in the following terms: "His Majeſty is pleaſed to let the Houſe know, that the neceſſary preparations are made for tranſporting the guards who came with him to England; and that he intends to ſend them away immediately, unleſs, out of conſideration to him, the Houſe be diſpoſed to find a way for continuing them longer in his ſervice, which his Majeſty would take very kindly." Far from complying with a requeſt ſo natural and reaſonable, the Houſe of Commons in a flame *inſtantly* reſolved upon an Addreſs to the King, on a diviſion of 175 to 156 voices, declaring "their unſpeakable grief that his Majeſty ſhould be adviſed to propoſe any thing to which they could not conſent with due regard to that Conſtitution which his Majeſty came over to reſtore, and ſo often expoſed his royal perſon to preſerve—and did in his gracious Declaration promiſe, that all thoſe foreign

forces

forces which came over with him ſhould be ſent back."—This was certainly a moſt ungracious mode of reminding the King of his gracious Declaration, and ſavored much more of faction than of patriotiſm. To this intemperate Addreſs the King made a cool and judicious reply, "expreſſing his entire confidence in the affections of his People, and repelling with firmneſs the inſinuation that his wiſh to retain his native guards aroſe from any diſtruſt of the attachment of his Engliſh ſubjects."

The King ſaw and indignantly felt, nevertheleſs, how eager and inceſſant were the efforts of many individuals to traduce his character, and embarraſs the meaſures of his Government. In a confidential letter written by him at this period to Rouvigny Earl of Galway, he ſays, "I ſee you are uneaſy at the proceedings of the Parliament here. I think you have too much cauſe to be ſo—It is not to be conceived how people here are ſet againſt the *foreigners*.—You will eaſily judge on WHOM this reflects. My meaſures muſt be regulated according as things go in the Parliament, of which there is no being ſure till the ſeſſion is over.—There is a ſpirit of ignorance and malice prevails here beyond conception."

The Tories, finding their ſtrength, now proceeded to exhibit other proofs of their diſcontent and diſſatisfaction. With a view to caſt a reflection on the tolerant ſpirit of the preſent Whig

Miniſtry, an addreſs was preſented to the King, complaining of the boldneſs with which, from his Majeſty's *unexampled clemency*, the Papiſts had of late frequented the metropolis and all places of public reſort; and beſeeching his Majeſty to iſſue his Royal Proclamation againſt them; which the King promiſed to do.

Seeing the complexion of the Houſe of Commons, the Old Eaſt India Company were encouraged to preſent a petition to the Houſe, praying, "that their caſe might be taken into conſideration; and that the Houſe would make ſome proviſion that their Corporation might ſubſiſt for the reſidue of the term of 21 years granted by his Majeſty's Charter: and that ſuch farther conſiderations might be had for the Petitioners' relief, and for the preſervation of the Eaſt India Trade to England, as ſhould be thought meet." This petition was favorably received, and a Bill ordered by the Houſe to be brought in thereupon. Some of the more warm and injudicious partiſans of the Company launched into an high ſtrain of invective againſt the late Eaſt India Bill and its promoters; and even ventured to aſſert, that they were not bound to maintain the votes and to keep up the credit of the former Parliament. But the Houſe wiſely conſidered, that vaſt ſums had been advanced and expences incurred by the proprietors of the New Stock, in conſequence of the Act recently paſſed.

If

If that Act were now to be repealed, or the conditions of it new-modelled, the very baſis of parliamentary faith would be ſubverted, and the public confidence would be inevitably loſt. The Bill therefore was not ſuffered to proceed to a ſecond reading.

The firſt ſymptom of the decline and fall of the Whig Miniſtry had already appeared in the reſignation of the Earl of Sunderland, whoſe ſagacity foreſaw, and whoſe caution had avoided, the approaching danger. Had that Nobleman continued in Adminiſtration, he would have been undoubtedly the firſt object of attack. But the ſtorm now fell upon the Earl of Orford, who had been ſeveral years at the head both of the Admiralty and Navy Departments. It had tranſpired, that the Auditors of the Impreſts had declined paſſing his Lordſhip's accounts for want of ſufficient vouchers. And it was alſo affirmed, that his Lordſhip had unneceſſarily retained a vaſt ſum of money in his hands, to the prejudice of the ſeamen and to his own private advantage. The Houſe called therefore for the ſaid accounts; from which it appeared that there remained a balance in the hands of the Earl of Orford, as Treaſurer of the Navy, of 460,000 l. of which the Earl declared that 380,000 l. was then in a courſe of payment. But the object of the Houſe was, not to inveſtigate but to cenſure; and they preſented a violent Addreſs to the Throne, "complaining of miſmanagement of the public

ſervice—

ſervice—of miſapplication of the public money—of the introduction of new and unneceſſary charges—of the want of regular vouchers—and finally declaring, that the offices of Firſt Commiſſioner of the Admiralty and Treaſurer of the Navy were inconſiſtent and ought not to be executed by the ſame perſon." The King aſſured them that it was his deſire that all ſorts of miſmanagements and irregularities ſhould be prevented or redreſſed; and that their Addreſs ſhould be taken into conſideration. But the Earl of Orford did not chooſe to riſque any farther conteſt with the Houſe of Commons, and reſigned his employments. He was ſucceeded in the Admiralty by the Earl of Bridgewater, a nobleman wholly unacquainted with ſea affairs; and the Tories were diſappointed in their views of advancing Sir George Rooke to that important poſt—a naval officer of high reputation, and ſtrongly attached to the party in oppoſition.

A moſt ſenſible and bitter mortification was ſtill in reſerve for the King. By a Bill ſent up from the Commons to the Lords ſome years ſince, attainting the Iriſh who had been in arms againſt the Government, their eſtates by law confiſcated to the Crown were applied to the payment of the public debts, leaving only a power to the King to diſpoſe of the third part of them. This Bill met with much oppoſition in the Upper Houſe: many petitions

tions were preſented againſt it; and the King, who was impatient to embark for the Continent, engaged that nothing ſhould be done by him in prejudice of the Bill till the Parliament had an opportunity of ſettling the buſineſs. But the next ſeſſion, and ſeveral ſucceeding ſeſſions, paſſing over without any parliamentary revival or even mention of the Bill; the King thought himſelf at liberty to exerciſe his prerogative to its full extent, by making grants of the whole of the forfeited eſtates. But this angry and jealous Houſe of Commons were determined that the matter ſhould not reſt in its preſent ſtate. They annexed therefore a clauſe to the Land-tax Bill, appointing ſeven commiſſioners to take an account of the eſtates forfeited in Ireland, in order to their being applied in aid of the public ſervice. When the Bill was tranſmitted to the Lords, they found themſelves, to their great diſcontent, precluded from entering into the merits of this proviſion, being compelled to paſs the clauſe without alteration as conſtituting part of a Money Bill. But a proteſt was entered upon the Journals expreſſive of their Lordſhips' diſapprobation of this procedure: "1ſt. Becauſe the clauſe in queſtion compriſed a matter foreign to the Bill; and 2dly, Becauſe the practice of *tacking* clauſes of this nature to Money Bills was contrary to the ancient method of proceeding in Parliament, ſubverſive of the freedom of debate, and derogatory to the privileges

leges of the Houſe." The Bill having at length paſſed the Lords, received from the King a moſt reluctant aſſent; and on the 4th May, 1699, the Parliament was prorogued, and the King and his Miniſters relieved, for a time, from their imperious and unwelcome control.

Immediately after the riſing of Parliament ſome farther alterations were made in order to conciliate and gratify the Tories. The Duke of Leeds, who had ſunk into inſignificance and contempt ſince the diſcovery of his India peculations, was now diſmiſſed from his poſt of Preſident of the Council, which was given to the Earl of Pembroke; and the Privy Seal, relinquiſhed by this nobleman, was conſigned to Lord Lonſdale. The Duke of Shrewſbury, who diſliked the fatigues and was indifferent to the emoluments of office, reſigned without reluctance the Seals of Secretary of State to the Earl of Jerſey: but towards the cloſe of the year he accepted the place of Lord Chamberlain. This nobleman was ſo diſtinguiſhed by the generoſity of his diſpoſition and the faſcination of his manners, that he was generally known by the appellation of "King of Hearts." He was ſaid by the King to be the only man of whom both Whigs and Tories agreed to ſpeak well. Though perſonally diſintereſted, his applications for his friends were ſo numerous, that the King one day, in the ſpirit of pleaſantry, told him "to ſet down all his demands

demands at once, that he might ſee whether the whole kingdom would ſatisfy them."

Previous to his departure for Holland, the King wrote to the Earl of Galway, whom he had long honored with his intimate friendſhip, complaining in ſtrong terms of the vexations he had been made to endure in the courſe of the laſt ſeſſion of Parliament. "It is not poſſible (ſaid he) to be more ſenſibly touched than I am, at not being able to do more for the poor refugee officers who have ſerved me with ſo much zeal and fidelity. I am afraid the GOOD GOD will puniſh the ingratitude of this Nation.—I fear the Commiſſion given here by the Commons for the inſpection of the forfeitures, will give you a great deal of trouble, and me no leſs the next winter. Aſſuredly on all ſides my patience is put to the trial. I am going to *breathe* a little beyond ſea, in order to come back as ſoon as poſſible."

Notwithſtanding the numerous diſappointments and diſcouragements which the Scottiſh Company had ſuſtained, and the utter improbability of final ſucceſs in their projects—ſuch was their reluctance to be awakened from their airy dreams, that they had in the courſe of the preceding year ſent to ſea two large ſhips out of four which they had cauſed to be built at Hamburg, and ſeveral ſmaller veſſels, freighted with divers commodities the growth or manufacture of Scotland; and about 1200 adven-

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turers on board, furniſhed with all things neceſſary for the eſtabliſhment of a colony. But their indiſcretion was no leſs conſpicuous than their ill-fortune. The ſpot fixed upon for this ſettlement was the Iſthmus of Darien, a territory ſituated in the heart of the Spaniſh Empire in America, from time immemorial claimed, and in part occupied, by Spain to the excluſion of every other European Power; and which, if their avarice had ſuffered their reaſon to operate, the Scottiſh projectors muſt be ſenſible that the Court of Madrid would reſent and repel as a flagrant encroachment upon their rights.

In the month of October 1698, they arrived at GOLDEN ISLAND on the Coaſt of Darien; but the wants and miſeries, the difficulties and dangers they had to encounter, ſoon diſpoſed them to think more of a deliverance than an eſtabliſhment. This intelligence was no ſooner received in England, than the Earl of Seafield, Secretary of State for Scotland, who had hitherto abſtained from replying to the repreſentations of the Company, informed them, by order from the King, "that, there being accounts of the arrival of the ſhips belonging to the Company on the Coaſts of America, and the particular deſign not being communicated to his Majeſty, he therefore delayed to give an anſwer till he had received certain information of their ſettlement." The Company on this no-

tified to Lord Seafield, "that their ſhips had reached their deſtination at Golden Iſland on the Coaſt of Darien—and had obtained, by treaty with the natives, a tract never before in the poſſeſſion of any Europeans." But though the Scottiſh Directors had been guilty of the extreme imprudence of attempting a permanent ſettlement in the centre of the Spaniſh Empire without the permiſſion, it could not be long concealed from the knowledge, of the Executive Government. And by the poſitive orders of the King, Sir William Beeſton, Governor of Jamaica, iſſued a proclamation early in April 1699, importing that his Majeſty was not informed of the deſigns of the Scots in relation to Darien; which being contrary to the treaties ſubſiſting between his Majeſty and his Allies, he ſtrictly charged and commanded all his Majeſty's ſubjects, that upon no pretence whatever they ſhould hold any correſpondence with the Scots aforeſaid, or give them any aſſiſtance, under pain of ſuffering the effects of his Majeſty's ſevereſt diſpleaſure. This was a meaſure, however harſh, very ſeaſonable and neceſſary; for, in the month of May following, the Marquis de Canales, Miniſter Reſidentiary of Spain, preſented to the Court of London a Memorial, remonſtrating in the ſtrongeſt and moſt reſentful terms againſt the Darien ſettlement; which, the Memorialiſt declared, "the King his maſter regarded, not merely as a violation

violation of friendſhip, but as a rupture of the alliance ſubſiſting between the two Crowns. That his Catholic Majeſty could not expect ſuch inſults and hoſtilities to be committed by the ſubjects of the King of England, without cauſe or pretext, in the heart of his dominions; and that all the King his maſter deſired was to have his extreme ſenſibility of a procedure ſo unjuſt repreſented to his Majeſty, for he would take ſuch meaſures concerning them as he ſhould ſee convenient." To this Memorial the orders already ſent to the Governor of Jamaica furniſhed a ſatisfactory reply.

The Engliſh Parliament, perceiving, doubtleſs, the approaching inevitable ruin of the Scottiſh Colony, did not deign in the courſe of the laſt ſeſſion to make it the ſubject of their animadverſion. Nothing but misfortune had attended this ill-fated and extravagant project. Of the ſhips ſent out with ſtores and reinforcements, one took fire by accident, and a ſecond was wrecked near Carthagena, the cargo confiſcated; and the crew ſent to priſon. Thoſe who reached the deſtined ſhore, finding their expectations wholly blaſted, were wrought up to a pitch of inſubordination and animoſity, which utterly diſqualified them from adopting any rational means either of ſubſiſtence or defence. In fine, ſeeing their inability to reſiſt the force which the Spaniards were preparing to bring againſt them, they thought proper to ſign a capitulation,

tulation, and entirely to evacuate the Spaniſh Coaſt, after the immenſe expence incurred in the ſucceſſive equipments and preparations of the Company, who were, however reluctantly, at length compelled to open their eyes, when their invincible obſtinacy in folly had left them nothing to contemplate but their own beggary, bankruptcy and ruin.

In the month of September 1699, while they were yet unappriſed of the cataſtrophe of this tragic drama, the Company had tranſmitted an Addreſs to the Throne, complaining of the injuries they had received and the miſchiefs they had ſtill to apprehend from the Spaniards; and beſeeching his Majeſty's favor and protection. This being evaſively anſwered, they framed a ſecond addreſs or remonſtrance in ſtill ſtronger terms, complaining "that they were not within the pale of the royal protection. That proclamations had been iſſued in his Majeſty's name by the Governors of the American Plantations, prohibiting all commerce or correſpondence with the Scottiſh Colony, which had produced the moſt fatal conſequences to the Company—They entreated that his Majeſty would take off the force and effect of thoſe proclamations, and allow his Parliament of Scotland to meet at as early a period as poſſible, in order that his Majeſty might have the advice and aſſiſtance of the great Council of the Nation in ſuch a weighty and general concern." To this Lord Seafield was

directed to anſwer, " that his Majeſty very much regretted the loſs which that Kingdom and the Company had lately ſuſtained—that he would upon all occaſions protect and encourage the trade of the Nation—and that they ſhould enjoy the ſame freedom of commerce with the Engliſh Plantations as formerly. As to the Parliament, they were adjourned to March; and he would cauſe them to meet when he judged that the good of the Nation required it." This anſwer gave little ſatisfaction; the national ferment ſpread like a contagion, and ſeemed to threaten the moſt alarming conſequences.

Notwithſtanding the cordiality with which the Court of Verſailles appeared to concur in the Treaty of Partition, ſhe employed all the arts of her refined and inſidious policy to induce the Court of Madrid to pronounce an ultimate deciſion in her favor. The Marquis de Harcourt, Ambaſſador from France, inſinuated in terms the moſt flattering and reſpectful, " that the only object of the King his maſter was, to maintain the honor and independency of the Crown of Spain——that Philip IV. had doubtleſs exerted his power too far in transferring the inheritance of the Crown to the Imperial Houſe againſt the Laws of Nature and the Conſtitution of the Realm—that the ſucceſſion lawfully belonged to his daughter's children, and not to his relations four degrees removed—that it

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was far from the wiſh of the King his maſter, to unite the Crowns of France and Spain—but that the Duke of Anjou, ſecond ſon of the Dauphin, was yet in very early youth; and if it were deemed expedient to make choice of him as ſucceſſor to the Throne, he might, by a reſidence in Spain, eaſily learn to conform himſelf to the cuſtoms and manners of the country—that, ſuppoſing the validity of the renunciation of the Infanta Maria Tereſa, the right of ſucceſſion would devolve upon the Electoral Prince of Bavaria, deſcended alſo from a daughter of Spain. But it was impoſſible that the Moſt Chriſtian King could tamely acquieſce in a diſpoſition ſo injurious to the rights and intereſts of his Crown as the abſolute transfer of the Monarchy of Spain and its vaſt dependencies to the Houſe of Auſtria, already too much aggrandized by her recent conqueſts in Hungary. And he inſinuated that the Catholic Religion might be endangered under a Prince ſo cloſely connected with Heretics. The Ambaſſador ſubmitted the deciſion of this great queſtion with the utmoſt confidence to the juſtice of his Catholic Majeſty, whoſe friendſhip the Moſt Chriſtian King was moſt ſincerely deſirous to cultivate; and the Ambaſſador took occaſion to expreſs the indignation of his Sovereign at the flagrant encroachments of the Britiſh Nation on the territorial rights of Spain in America; and his readineſs to act in concert with them to repel

theſe lawleſs invaders *. And he made a generous offer of ſuccors by ſea and land againſt the Moors, who were then beſieging both Ceuta and Oran." This was civilly declined; but by degrees a powerful impreſſion was made by theſe arguments, and others no doubt of a very different kind, on a very large proportion of the Spaniſh Nobles and Grandees, with the famous Cardinal Porto-Carrero at their head, who had a powerful ſway over the Spaniſh Councils. The Queen of Spain, on the other hand, was ſtrongly in the intereſt of the Houſe of Auſtria, and exerted her influence with no inconſiderable effect to counteract the machinations of France, who, to operate on the fears as well as the juſtice and gratitude of the Spaniſh Court, had ordered an army of 60,000 men to aſſemble on the frontiers of Catalonia.

Such was the ſtate of things, when the Court of Madrid was appriſed of the Treaty of Partition about to be concluded at Loo. The King of Spain, violently and juſtly offended, was inſtantly incited by the impulſe of paſſion to adopt a reſolution which wiſdom had ſo long unavailingly dictated, viz. to make a teſtamentary diſpoſition of his do-

* This proves the effrontery of the Scottiſh Directors, who, in their Memorial of March 21ſt 1699, preſumed to aſſert the probability that France had it in contemplation to ſettle a colony on the Coaſt of Darien, which they abſurdly claimed the merit of preventing.

minions,

minions, which he left, June 1698, without reſerve to the Electoral Prince of Bavaria, now ſolemnly conſtituted ſole heir of this vaſt inheritance. Why his Catholic Majeſty paſſed over in ſilence the claims of the Houſe of Auſtria, to which he had hitherto ſhewn a ſtrong predilection, cannot be eaſily aſcertained.—The Emperor had obſtinately refuſed to permit his ſon the Archduke to take up his reſidence in Spain—in the memorial preſented by the Imperial Ambaſſador Count Harrach at the Court of Madrid on the ſubject of the Treaty of Partition, the chief ſtreſs ſeemed to be laid on the injuſtice done to the Houſe of Auſtria, which is ſaid to have offended the pride of the Spaniſh Court—and it was obvious that in preſent circumſtances there exiſted a greater probability of preſerving the integrity of the Spaniſh Empire by an abſolute devolution of it to the Electoral Prince than to the Archduke. And in caſe France and Auſtria would have derived much conſolation for the diſappointment they reſpectively ſuſtained, by reflecting on the baffled hopes and abortive projects of each other.

A memorial was immediately preſented at the Court of Madrid, by M. de Harcourt; which, under color of complaining of the injury done to France, contains a virtual acquieſcence in this diſpoſition. In the concluſion of this Memorial *, the

* Lamberti.

Ambaſſador ſays, "Your Majeſty knows I have never *importuned* you concerning the ſucceſſion. Laſtly, Sir, it is to be conſidered, whether the diſintereſted reſpects of my maſter, and his deſire to maintain a good correſpondence with your Majeſty, deſerve the reſolution you have taken: and what reaſon all Europe may have to complain of your Majeſty, if, to the general misfortune, the ſolicitude of my maſter cannot prevent the diſturbance to be feared from ſuch an incident." This can only be conſtrued to mean that the King of France will not, but that he apprehends the Emperor will conteſt this diſpoſition. The anſwer of the Spaniſh Court to this Memorial * was wholly vague and complimentary: "The zeal of his Catholic Majeſty for preſerving the tranquillity of Europe was equal to that of the Moſt Chriſtian King—that he could not but be ſurpriſed at his Excellency's Memorial, at a time when the Divine goodneſs had ſo recently reſtored him to health—but he expreſſed his ſenſe of the friendſhip of his Moſt Chriſtian Majeſty, and his readineſs to concur with him in whatever ſhould be found neceſſary for continuing the public repoſe, which his Catholic Majeſty affirmed would be the conſtant tenor of his prayers." With whatever reluctance, it is probable that the two great rival powers of Bourbon and Auſtria would have ultimately ac-

* Lamberti.

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quieſced in a teſtamentary diſpoſition ſo conformable to the intereſts of Spain and the inclinations of all Europe, had not the unfortunate death of the Electoral Prince in a few months (February the 16th 1699) entirely altered the face of things, and thrown the whole political world into an abyſs of confuſion.

Notwithſtanding the pretended recovery of the King of Spain, it was well known that this enfeebled Monarch could not long ſurvive; and the attention of the King of England was anew engaged, with laudable and diſintereſted ſolicitude, but with very doubtful wiſdom, in the formation of new ſchemes and projects for the preſervation of the peace of Chriſtendom. Soon after the arrival of the King at Loo, M. de Tallard was again deputed to negotiate with his Majeſty a ſecond Partition Treaty, to which the Court of Vienna was invited to concur as a principal party. Various obſtacles, occaſioned by as many different cauſes, retarded the concluſion of the treaty at Loo—of which the objections ſeverally ſuggeſted by the Emperor and the States General appear to have been the chief. Their High Mightineſſes, doubting the ſincerity of the French Court, and probably not well pleaſed with the terms of the treaty, required, that, when ſigned and ratified, it ſhould be regiſtered in the Parliament of Paris. But the Court of Verſailles replied with haughtineſs, "that

the Parliament of Paris was no more than a Court of Juſtice; and that this was a propoſition that could not even be liſtened to." The Emperor abſolutely refuſed to engage as a party in the treaty, till the terms of it were communicated to and approved by the Court of Madrid. M. de Tallard following the King, after a ſhort interval, into England; the treaty was at length ſigned, March the 3d, 1700, by the Ambaſſador Tallard on the part of the King his maſter, and, on that of the King of Great Britain, by the Earls of Jerſey and Portland, and on the 25th of the ſame month, by the Plenipotentiaries of the States General at the Hague.

Conformably to the conditions of this treaty, Spain and the Indies, with the Low Countries and Sardinia, were, on the death of the King of Spain without iſſue, to devolve to the Archduke Charles. The Sicilies, Finale and the other poſſeſſions of Spain in Italy, Milan excepted, with the Province of Guipuſcoa, &c. as ſettled in the former treaty, were to be ceded in full right to the Dauphin—as alſo the Duchies of Lorraine and Bar, of more intrinſic value to France than all the reſt of her acquiſitions. To the Duke of Lorraine in lieu of his Duchy was aſſigned the Dukedom of Milan. Thus more was voluntarily conceded to France, than ſhe could hope to gain by the moſt ſucceſsful war. To this treaty the Emperor was allowed three months

to

to accede; and in caſe of refuſal, the allotment of the Archduke was to be diſpoſed of to a Prince who ſhould be named by the two Kings of France and Great Britain, in conjunction with the States General. And in a ſeparate article the Emperor was by a farther indulgence admitted to ſubſcribe within two months after the death of the King of Spain *.

The Court of Madrid, on the firſt intimation of the negotiations recommenced at Loo, diſcovered, as might well be expected, the moſt paſſionate reſentment. So early as the month of Auguſt, the Spaniſh Secretary of State Don Antonio de Ubilla delivered a Memorial to Mr. Stanhope the Engliſh Ambaſſador at Madrid, ſetting forth "that the King his maſter having been informed by different advices, that the Engliſh, French and Hollanders

* It is evident from the tenor of the correſpondence of the King with the Penſionary Heinſius at this period, that his acceſſion to the terms of the Partition Treaties was the reſult of what appeared to him an urgent political neceſſity, ariſing from the known indiſpoſition of the Parliament and People to a renewal of the war on the Continent. "I find," ſays the King to that Miniſter, "your thoughts entirely occupied with the great ſtorm which ſeems to hang over our heads, by the likelihood of the King of Spain's death.——I only wiſh my power was ſuch, as that I could properly ſecond your hearty ſentiments."——"People begin here more and more to fear the death of the King of Spain, being perſuaded it will draw on a war, to which they in that caſe ſeem reſolved; but would contribute little or nothing, except to the marine, and leave the war

Hollanders were again framing new treaties for diſpoſing of the ſucceſſion of that Crown and dividing its dominions, his Majeſty could no longer diſſemble his knowledge, or omit to make known his reſentments of a procedure never before heard of during the life of any King.—And Don Antonio makes, by order of the Catholic King, this communication to Don Stanhope, that, he giving notice to his Britannic Majeſty, and aſſiſting by his prudent repreſentations, the univerſal quiet may be maintained, and that he may quit the *ſcandal* of this *negotiation*, which it is feared will be an unhappy motive of kindling a voracious flame of a new war, which being once lighted will be difficult to be extinguiſhed, either by the greateſt force, or the moſt dextrous and moſt powerful mediation." A Memorial couched in ſtill more energetic language, and in a ſtyle bordering upon

war by land to the Republic and the other allies, which they would not carry through.—Though, on the other hand, I ſee no likelihood of bringing the Parliament to give money ſufficient to keep ſo conſiderable a body of troops in the Spaniſh Netherlands as I had the laſt war; and without that I ſee no poſſibility of defending them."——" I confeſs that, every thing conſidered, it is very queſtionable which alternative to chooſe, and to negotiate farther thereon; but this is beyond a doubt, that when theſe offers of France are public in England and Holland, it will be difficult to get them to conſent to a war, in caſe the King of Spain ſhould happen to die now—ſo that meaſures *muſt* be taken in conſequence."——*Hardwicke State Papers.*

rudeneſs

rudeneſs and inſolence, was ſoon after preſented by the Marquis de Canales to the Lords Juſtices of England, in the abſence of his Majeſty—ſtating, in a way unuſually pointed and perſonal, "that if theſe proceedings, theſe machinations and projects are not quickly put a ſtop to, we ſhall without doubt ſee a dire and univerſal war over all Europe, difficult to ſtop when we are willing, and moſt ſenſible and prejudicial to the Engliſh Nation, which has newly tried and felt what *novelties* and the laſt war have coſt them."—And declaring, "that the Embaſſador Extraordinary of Spain will manifeſt to the Parliament, when it ſhall be aſſembled, the juſt reſentment which he now expreſſes." This paper being tranſmitted to the King at Loo, the Ambaſſador was informed by Mr. Secretary Vernon, that his Majeſty found the contents ſo inſolent and ſeditious, that, in reſentment of ſo extraordinary a procedure, he ordered the Ambaſſador to quit his dominions in eighteen days, and that no writing be any more received from him or any of his domeſtics. The Ambaſſador replied with an air of gaiety, "Te Deum laudamus!"—adding, "that he ſhould not fail to obey the orders he had received, to a ſcruple." In return, Mr. Stanhope was alſo ordered to quit the territories of the King of Spain.

The negotiations at Loo ſeemed to excite almoſt as great a ferment at Vienna as at Madrid. The

Count de Kaunitz, in a conference with M. de Villars the French Ambaſſador at the Imperial Court, declared it to be an unprecedented thing for Great Britain and Holland to divide the Monarchy of Spain—"And this third Power you threaten us with," ſaid the Count, "who is he? What, ſhall the Dutch give away kingdoms!"—And the Memorial of M. de Canales being ſpoken of by M. Hope, Miniſter from the States General, as highly inſolent, in making an appeal from the Sovereign to his ſubjects; the Spaniſh Ambaſſador, being preſent, gravely replied, "Subjects who dethrone one King and elect another, who have even put a third to death, and who openly act in defiance of the will of the Sovereign"—alluding to the affair of Darien—"ſuch ſubjects can by no means be regarded in the ſame light with the ſubjects of other Kings*."

On the other hand, the extreme ſatisfaction of the Court of Verſailles at the late proceedings appears from the general tenor of the diſpatches of the Earl of Manchester, Ambaſſador at Paris. In his letter of May 8th, 1700, to Lord Jerſey, this Nobleman ſays, "that in his laſt conference with M. de Torcy, that Miniſter obſerved to him they ſhould now ſoon ſee the ſucceſs of this great affair—that the King of England would have the honor of it—The caſe," he added, "was extremely

* Ralph; Lamberti; Memoirs of the M. de Villars, &c.

changed

changed within two years—that the French King had now all the obligations and intereſt to wiſh for the life and welfare of our King.—Henceforth," as in a ſubſequent conference he took occaſion to ſay, "it would be very convenient for France and England always to act in concert in the affairs of Europe."

Circumſtanced as the Emperor now was, he appeared inclined to accede, after all the anger and reſentment he had diſplayed, to the principal terms of the treaty. And various conceſſions were made by the Court of Verſailles in order to render it more palatable—calculated to enſure the ſucceſſion of Spain to the Archduke; and, in particular, that this Prince ſhould be at liberty to reſide in that kingdom during the life of the King; knowing perhaps the determination of the Emperor againſt it. It was alſo agreed that the ſucceſſion of the Sicilies ſhould be limited to the deſcendants of the Queen Maria Tereſa. But when the Imperial Court proceeded to propoſe that the Indies ſhould be ceded to France in lieu of the Sicilies; and the Iſland of Sardinia and the Duchy of Luxemburg as an equivalent for Lorraine and Bar—the propoſition was rejected as extravagant and inadmiſſible. The King of France himſelf, in a diſpatch to M. Briord Reſident at the Hague, informs him, "that M. Zinzendorf, the Imperial Ambaſſador at Paris, had plainly enough intimated

that the Emperor would cede to him the Low Countries, in caſe he would treat directly with him —and directs that Miniſter to caution the Penſioner againſt all the artifices which the Imperial Miniſters would not fail to employ, in order to create a jealouſy which might be fatal to the meaſures he had taken with England and Holland." In the mean time the Emperor carried on his negotiations in Spain with ſuch ſucceſs, that his Catholic Majeſty, in the month of June 1700, was prevailed upon to ſign a Will, declaring the Archduke ſole heir of the Spaniſh dominions. This was immediately tranſmitted to Vienna; and M. de Villars was then informed, "that his Imperial Majeſty, conſidering the good ſtate of the King of Spain's health, declined acceding to the Treaty of Partition; but that in failure of male heirs the Emperor conſidered the ſucceſſion as juſtly belonging to him."—And thus this matter reſted during the ſummer of the year 1700.

To preſerve perſpicuity and connection, the order of events has been ſomewhat anticipated. The King of England arrived at his palace of Kenſington from the Continent in the month of October 1699. It had been for ſome time paſt infuſed into his mind by perſons in his confidence, and particularly by the Earls of Jerſey and Albemarle, that the Whigs either could not or would not conduct the buſineſs of Government to his

ſatisfaction—

ſatisfaction—that the Tory intereſt predominated in the Houſe of Commons; and that it was neceſſary to conform to circumſtances, and to take ſome of the leaders of that party into Adminiſtration. On the other hand, Lord Somers, who retained great influence over the King, declared, that there was no neceſſity for yielding at diſcretion to the Tories—that if the King would be true to his friends, they would be true to him. He blamed the reſignation of Lord Orford, and was of opinion the Whigs might regain their aſcendency in a new Parliament.—The King himſelf was inclined to a diſſolution, but the Miniſters would not venture to adviſe ſo bold a meaſure. He therefore finally determined to adopt the counſels of their opponents. The firſt manifeſtation of this was a viſit publicly made by him to the Earl of Rocheſter at Richmond—and Mr. Montague, perceiving the high favor he had for ſeveral years paſt poſſeſſed, both with the King and the Parliament, now rapidly on the wane, thought it expedient to reſign his offices previous to the commencement of the ſeſſion. In his room Lord Tankerville was placed at the head of the Treaſury, and Mr. John Smith who had for ſome time occupied with reputation a ſeat at the Board, was conſtituted Chancellor of the Exchequer. Thus another of the grand columns which upheld the tottering fabric of the Whig Adminiſtration was removed; and it now reſted

reſted almoſt entirely upon the abilities, courage, and high reputation of the Lord Chancellor Somers for ſupport.

On the 16th of November 1699, the ſeſſion opened with a ſpeech of a very general nature, and in which every expreſſion that could give any juſt cauſe of offence ſeems to have been cautiouſly avoided. In concluſion the King declared "his full aſſurance of the good affections of his People, which it would be his endeavor to preſerve by a conſtant care of their juſt rights and liberties. Since then," ſaid the Monarch, "our aims are only for the general good, let us act with confidence in one another; which will not fail, by GOD's bleſſing, to make me a happy King, and you a great and flouriſhing People." But ſuch was the perverſe conduct of the Houſe as to manifeſt a pre-determination not to be ſatisfied. In their Addreſs the Commons affected to conſider this recommendation of mutual confidence as involving in it by implication a charge againſt them for not placing proper confidence in him. "We do eſteem it," ſay they, "our greateſt misfortune, that, after having ſo amply provided for the ſecurity of your Majeſty and your Government both by ſea and land, any jealouſy or diſtruſt hath been raiſed of our duty and affections to your ſacred Majeſty—and beg leave humbly to repreſent that it will greatly conduce to the continuing and eſtabliſhing an entire confi-

dence

dence between your Majeſty and your Parliament, that you would be pleaſed to ſhow marks of your high diſpleaſure towards all ſuch perſons who have or ſhall preſume to miſrepreſent their proceedings to your Majeſty." The King to this ſtrange and captious complaint returned a mild and diſcreet anſwer, aſſuring them "that no perſons had ever yet dared to miſrepreſent to him the proceedings of either Houſe—and that if ſuch calumnies ſhould be attempted, they would not only fail of ſucceſs, but the authors of them would be treated as his worſt enemies."

It was now the grand object of the Commons to ſeek out ſome plauſible ground of accuſation againſt the Lord Chancellor, knowing, that, if he fell, the Adminiſtration of which he was the ſole animating principle muſt inevitably fall with him. Fortunately, as they conceived, for their purpoſe, an incident occurred at this period much too trivial for the notice of hiſtory, had it not acquired an adventitious importance by the political uſe made of it in order to fix a ſtigma upon an illuſtrious character, which could not hope in ſuch circumſtances, although "as chaſte as ice, as pure as ſnow," to eſcape the envenomed ſhafts of calumny.

Great complaints having been made, during the late war, of the depredations committed by pirates on the American coaſt; a ſcheme was formed at the ſuggeſtion of the Earl of Bellamont, Governor

of New York, to fit out a ſhip of war by private ſubſcription in order to make repriſals upon theſe depredators. The King himſelf countenanced the ſcheme; and the Lord Chancellor, the Duke of Shrewſbury, the Lords Romney and Orford, &c. on being applied to, did not think it becoming them to refuſe their aſſiſtance. And on the recommendation of Lord Bellamont, one Kydd, a native of New York, the maſter of a ſloop, who had the reputation of being both bold and honeſt, was appointed captain of the ſhip, which mounted thirty guns, and to which the name of the Adventure Galley was given. This veſſel was furniſhed, beſides the uſual commiſſion given to privateers, with a power under the Great Seal, authoriſing Kydd the commander to make war upon and deſtroy the pirates infeſting the American and other ſeas. The choice however of the Captain proved very unfortunate; for, inſtead of making war upon the pirates, he immediately turned pirate himſelf; and, commanding a ſhip of great force, he became for a conſiderable time the terror of the American and Indian ſeas. At length being apprehended by the vigilance of Lord Bellamont, he was ſent to England for trial.

This affair being eagerly and abruptly brought into the Houſe of Commons; a motion was made, December 6, 1699, "that the letters patent granted to the Earl of Bellamont, and others, of

pirates'

pirates' goods were diſhonorable to the King, againſt the Law of Nations, contrary to the Laws and Statutes of this Realm, invaſive of property, and deſtructive of trade and commerce." In the debate which enſued, the moſt malignant imputations were caſt upon the noblemen engaged in this undertaking, as concerned in "a ſcheme of robbing and piracy;" and the Lord Chancellor was the peculiar object of invective and reproach, as a Magiſtrate placed at the head of the higheſt department of Juſtice, which he had "diſgraced by his participation in an enterpriſe ſo ſcandalous; and which was ſaid to be framed on a mere pretence of public ſervice, but in truth for the ſake of ſpoil—thoſe who were too tender-conſcienced to commence pirates in the firſt inſtance, finding no repugnance to ſharing among themſelves that which had been unjuſtly taken from others." But ſuch was the charm attached to the loſty and undeviating integrity of the Chancellor's character, that it was aſſailed by the rage of faction in vain. The Houſe ſeemed to feel, that the diſgrace and diſhonor of ſuch an accuſation could appertain only to thoſe who countenanced it; and the motion was, on a diviſion, negatived by a great majority. The Commons however thought fit to preſent an Addreſs to the King, praying, "that Kydd might not be pardoned, tried, or diſcharged, till the next Seſſion of Parliament;" to which the

King promiſed compliance: and to finiſh the hiſtory of this wretched buſineſs, it may be proper to add, that Kydd, being many months after brought to the bar of the Houſe, declared, "that he had never in his life ſpoken to Lord Somers; and that he had no order from thoſe concerned in the ſhip but to proſecute his voyage againſt the pirates in the high ſeas." The Houſe now left him to his fate; and he was in a ſhort time afterwards hanged, with divers of his accomplices.

Boiling ſtill with indignation againſt the Chancellor, the malignants in the Houſe now brought forward another charge againſt him, for having made a partial and undue diſtribution of Commiſſions of the Peace, and for invidiouſly ſtriking out the names of many perſons of great property and reſponſibility. On enquiry it appeared, that at the period of the Aſſaſſination Plot it was deemed expedient to exclude thoſe from the Commiſſion who refuſed to ſign the National Aſſociation. But this was ſo far from being the perſonal act of the Chancellor, that the gentlemen in queſtion were turned out in conſequence of the expreſs order of Council, grounded on the repreſentations of the Lords Lieutenants of the ſeveral Counties. The Houſe contented itſelf, therefore, with preſenting an Addreſs to the King, importing, "that it would much conduce to the ſervice of his Majeſty and the good of this Kingdom, that gentlemen of quality

lity and good eſtates be *reſtored* and put into the Commiſſions of the Peace and Lieutenancy; and that men of ſmall eſtates be neither continued nor put into the ſaid Commiſſions." To which Addreſs, preſented by the whole Houſe, the King replied, "He was of the opinion, that men of the beſt quality and eſtates were moſt proper to be entruſted in the Commiſſions of the Peace and Lieutenancy; and that directions ſhould be given accordingly."

The ſame ill-humor, though directed to a very inferior object, diſplayed itſelf in the motion made for an Addreſs to the King to diſplace Burnet, Biſhop of Sarum, from his office of Preceptor to the Duke of Gloceſter, which he had filled with great diligence and diſintereſtedneſs. This was however over-ruled by a conſiderable majority.

As in the courſe of the laſt Seſſion an Addreſs was preſented to the Throne to put the laws in force againſt Popiſh Recuſants, &c. in order to throw an odium upon the Whig Miniſters as men regardleſs of the intereſts of religion; that buſineſs was from the ſame motives now revived by the Tories; and a dreadfully ſevere Bill brought in under the ſanction of a Committee, of which Mr. Howe, one of the moſt virulent Jacobites in the Houſe, was Chairman, by which a ſentence of baniſhment was inflicted upon all Popiſh Prieſts and Schoolmaſters, on pain of perpetual impriſon-

ment, in caſe of their return; and a reward of 1000l. offered for their apprehenſion. It alſo enacted, that no Papiſt born after the 25th March, 1700, be capable of inheriting either title or eſtate; or of purchaſing lands, &c. either in his own name or in truſt for another, within the realm. But the moſt extraordinary clauſe of the Bill was that which required all Papiſts poſſeſſing eſtates in land to take the Oaths of Allegiance and Supremacy and the Teſt when they attained to the age of eighteen; till when the eſtate was to devolve to the next of kin that was a Proteſtant. The party who moved this Bill preſumed, that the Whigs, conformably to their general maxims of indulgence and toleration, would not fail to oppoſe it with vigor, and thereby expoſe themſelves to popular obloquy. But ſelf-preſervation was now their primary object; and, abandoning all conſiſtency of principle, they applauded and patroniſed the Bill with all the madneſs of party rage—each faction ſtriving which ſhould exceed the other in deviſing new clauſes of iniquity and barbarity. Under theſe circumſtances it rapidly paſſed the Houſe of Commons, and from the operation of the ſame motives it proceeded with equal facility through that of the Lords. With a blindneſs of intellect which would excite our pity were not pity loſt and abſorbed in indignation, Biſhop Burnet informs us, "that he was for this Bill, notwithſtanding

withſtanding his principles *for* toleration and *againſt* all perſecution for conſcience ſake, He had always thought, that if a Government found any ſect in religion incompatible with its quiet and ſafety, it might, and ſometimes ought to ſend away all of that ſect with as little hardſhip as poſſible."—A principle of policy which would furniſh juſt as valid a pretence for the expulſion of the Moriſcoes from Spain, or the Huguenots from France, as of the Papiſts from England. It is grievous to relate that this infamous Bill, which a more enlightened Legiſlature has with generous unanimity repealed, paſſed with national approbation; though its malignity was happily in a very great degree counteracted by the ſuperior wiſdom and beneficence of the Executive Power.

Another ſubject of chagrin and vexation to the Whigs in the preſent ſeſſion was the conduct of the Houſe of Commons relative to the affairs of India. Although the Houſe would not venture on a meaſure ſo dangerous as the revocation of the Charter granted by the laſt Parliament to the new Company, their competitors of the Old Eſtabliſhment were encouraged anew to repreſent their caſe to the Legiſlature, and to petition for an Act to prolong their exiſtence as a Company to the end of the term of twenty-one years ſpecified in their preſent Charter. The new Company publiſhed a Counter-Repreſentation expreſſed in very

bitter language; but their invectives and reproaches were fatal to their arguments. Paſſion is a more active principle than reaſon; and ſuch an oppoſition only contributed, by exciting diſguſt and reſentment, to facilitate the paſſing of the Bill. Mr. Montague, their great patron, was no longer lord of the aſcendant; his eloquence had loſt its efficacy; and this remarkable Bill, which eſtabliſhed in fact two Eaſt India Companies, finally received the ſanction of the Houſe of Lords and the aſſent of the King.

It was a favorite object of the Court to obtain a vote of approbation from Parliament for the meaſures taken to gratify the commercial jealouſy of the Engliſh Nation in oppoſition to the Scottiſh Settlement of Darien. Even in this they could not ſucceed. For, though the Houſe of Lords were prevailed upon, not without difficulty, and on a cloſe diviſion of thirty-two to twenty-ſix Peers, to reſolve, "that the Settlement of Darien was inconſiſtent with the good of the Plantation trade of this Kingdom," and to ground an Addreſs to the King thereupon; the Commons obſtinately refuſed to concur: for they knew that the project was hopeleſs; and they would take off no part of the odium, neceſſarily incurred upon the occaſion, from the King. But a pamphlet being publiſhed, entitled "An Enquiry into the Miſcarriage of the Scottiſh Settlement at Darien," reflecting

flecting upon the honor of the King and of the two Houſes of Parliament; it was voted to be a falſe, ſcandalous and traitorous libel, and ordered to be burnt by the common hangman. The King received the Addreſs of the Lords very graciouſly. He aſſured them that he ſhould always have a very great regard for their opinion—that he would never be wanting by all proper means to promote the advantage and good of the trade of England—at the ſame time he expreſſed a great concern and tenderneſs for his Kingdom of Scotland, and a deſire to advance their intereſt and proſperity. And he embraced anew the opportunity of inculcating very earneſtly the propriety and neceſſity of an Union of the two Kingdoms, in order to contribute effectually to the ſecurity and happineſs of both. In conſequence of this recommendation, the Lords did actually prepare and ſend down a Bill to the Commons, appointing certain Commiſſioners of the Realm of England to treat with Commiſſioners of Scotland for the weal of both Kingdoms. But the Commons, being in no better diſpoſition to comply with this meaſure than with the former, could not be prevailed upon to proſecute or approve it *.

But the point on which the party in oppoſition to the Court laid the moſt ſtreſs, and which the Nation ſeemed to be moſt concerned in, was the

* Ralph, vol. ii. p. 849.

reſult

reſult of the enquiry made by the Parliamentary Commiſſioners into the Iriſh Forfeitures, with a view to a general reſumption. Of theſe Commiſſioners, ſeven in number, four were "diſpoſed to put every circumſtance to the torture, in order to inflame the report," and three were inclined to ſoften and conciliate; or, as the induſtrious and diligent hiſtorian Ralph expreſſes it, "three were for the Court, under the pretence of candor and moderation." In conſequence of this difference of ſentiment, the report of the Commiſſioners was ſigned by the four anti-courtiers only. This remarkable report ſtated, that the number of perſons outlawed on account of the late rebellion in Ireland amounted to 3921—that the lands belonging to the forfeited eſtates contained 1,060,792 acres—that ſome of theſe lands had been reſtored to the old proprietors by virtue of the Articles of Limerick and Galway—by reverſal of outlawries and royal pardons—obtained chiefly by thoſe who had abuſed his Majeſty's compaſſion. Beſides theſe reſtitutions, there were ſeventy-ſix grants and cuſtodiums under the Great Seal of Ireland, of which they made a recital. Amongſt the number was a grant to Lord Romney of 49,517 acres; Lord Albemarle 108,633; William Bentinck, Eſq. Lord Woodſtock 135,820; the Earl of Athlone 26,480; the Earl of Galway 36,148, &c. &c. The Commiſſioners acknowledged that the eſtates in

queſtion

queſtion did not yield ſo much to the grantees as they were eſtimated at; for, as they had impoſed upon his Majeſty, ſo their agents had impoſed upon them; and ſold or let the lands at a rate much below their real value. After all deductions and allowances, there yet remained 1,699,343 l. 14 s. which they laid before the Commons as the groſs amount of the eſtates forfeited ſince the 13th day of February 1689, and not reſtored." The Committee concluded their report by the invidious ſtatement of a grant, which they acknowledged did not fall within the *letter* of their Enquiry, made under the Great Seal of Ireland, May 30, 1695, to Mrs. Elizabeth Villiers, now Counteſs of Orkney, of ALL the private eſtates of the late King James, containing 95,649 acres, eſtimated, at the expiration of the preſent leaſes in 1701, at 25,995 l. 18 s. per annum. Certainly, to judge by the enormity of this grant, the King's attachment to this Lady muſt have been uncommonly violent. Upon the whole it appeared, that the grants were, with very few exceptions, conferred without knowledge or diſcrimination; that groſs impoſitions had been practiſed; and that the King himſelf was liable to the cenſure of ſuffering the royal bounty to degenerate into the moſt wild, careleſs and capricious profuſion.

The Houſe of Commons in a violent ferment immediately reſolved, "that a Bill be brought in

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to apply all the forfeited Eſtates and Intereſts in Ireland, and all grants thereof, and of the rents and revenues belonging to the Crown within that Kingdom, ſince the 13th February, 1689, to the uſe of the Public." A clauſe was ſubſequently inſerted for the erection of a Court of Delegates, to determine claims touching the ſaid forfeited eſtates—under cover of which clauſe they farther reſolved, "that they would not receive any petitions whatever againſt the proviſions of this Bill." The Courtiers durſt not oppoſe any of theſe proceedings; and the Houſe, having fixed unalterably upon their plan, were now at leiſure to enter upon the examination of the Commiſſioners at the bar of the Houſe, which it had been ineffectually ſuggeſted by ſome of the Members ought in propriety and equity to have preceded the Bill. After a long and tedious inveſtigation, the Houſe came to the ultimate reſolution, "that Francis Anneſley, John Trenchard, James Hamilton and Henry Langford, Eſqrs. *four* of the Commiſſioners for the Iriſh forfeitures, had acquitted themſelves with underſtanding, courage and integrity." This was an implied cenſure on the Earl of Drogheda, Sir Francis Brewſter, and Sir Richard Leving, the three diſſentient Commiſſioners—and the Houſe went ſo far as to vote the laſt-named of theſe to be the author of groundleſs and ſcandalous aſperſions reſpecting the Commiſſioners who had ſigned the report—

report—and to commit him thereupon priſoner to the Tower.

After a long acquieſcence, the Courtiers ventured to move, that a certain proportion of the forfeitures be reſerved to the diſpoſal of his Majeſty. This proportion had been fixed at a third in the former Bill, which the Houſe had perfected, and ſent up to the Lords ſome years before. But the Houſe, being at preſent differently conſtituted, would not admit of the ſame rule of proceeding. It was thought a ſufficient reply, that the grantees had enjoyed theſe eſtates ſo many years, that the mean profits did ariſe to more than one third of the value. And a negative was not only put upon the motion, but two additional reſolutions were thereupon paſſed: "1ſt, That the adviſing, procuring and paſſing the grants of the forfeited and other eſtates in Ireland, had been the occaſion of contracting great debts upon the Nation, and levying heavy taxes on the People. 2dly, That the adviſing and paſſing the ſaid grants was highly reflecting on the King's honor. And the officers and inſtruments concerned in the procuring and paſſing the ſaid grants had highly failed in the performance of their truſt and duty." One point only, dictated chiefly by the ſpirit of retaliation and revenge, were the Courtiers able to carry—which was the obtainment of an order for bringing in a Bill to reſume the grants of all lands and revenues

nues of the Crown, and all penſions granted by the Crown ſince the 6th of February 1685, being the day of King James's acceſſion, and for applying the ſame to the uſe of the public. An Addreſs founded upon the reſolutions laſt recited was preſented to his Majeſty, January the 21ſt, 1700, to which the King gave the following anſwer: "Gentlemen, I was not led by inclination, but thought myſelf obliged in juſtice to reward thoſe who had ſerved well, and particularly in the reduction of Ireland, out of the eſtates forfeited to me by the rebellion there. The long war in which we were engaged did occaſion great taxes, and has left the Nation much in debt; and the taking juſt and effectual ways for leſſening that debt, and ſupporting public credit, is what in my opinion will beſt contribute to the honor, intereſt, and ſafety of this kingdom." On the report of this anſwer from the Chair, a vehement debate enſued; and the Houſe came at the cloſe of it to the reſolution, "that whoever adviſed his Majeſty's anſwer to the Addreſs of the Houſe, has uſed his utmoſt endeavor to create a miſunderſtanding and jealouſy between the King and his People."

This famous Bill of Reſumption, being ſtyled a Bill of Supply, and appropriated to the diſcharge of certain ſpecific debts, &c. was, by an arbitrary exertion of power now grown too common, *tacked* to—or, in the more faſhionable phraſe, *conſolidated* with,

with, the Land-tax Bill; and in that ſtate carried up to the Lords. The forcible expedient reſorted to by the Commons to enſure the paſſing of the Bill, gave great and juſt umbrage to the Peers, who ventured to make ſeveral alterations in the ſame, not affecting the money clauſes, which were nevertheleſs unanimouſly rejected by the Commons, who aſſigned in a paper delivered to their Lordſhips their reaſons for ſo doing. The Peers producing at a ſubſequent conference counter-reaſons in ſupport of their amendments, the Committee of the Commons, inſtead of making any reply, ſignified that their orders were to return the Bill, and leave it with their Lordſhips. This threw the Houſe into a flame: many of the Peers ſeemed determined to reject the Bill and riſque the conſequences. On the queſtion whether the Houſe ſhould adhere to their amendments, the Contents were 43, Non-contents 53; and the Bill finally paſſed, with the ſullen acquieſcence of the Court, by a majority of 59 to 34 voices, accompanied by a ſtrong and indignant proteſt.

The leaders of the Houſe of Commons, conceiving the oppoſition of the Lords to derive its chief weight from the Chancellor, moved by way of intimidation an Addreſs to his Majeſty for the removal of John Lord Somers from his Preſence and Councils for ever. This was carried in the negative by a great majority. But a reſolution ſtill

more obnoxious paſſed the Houſe at the ſame time, to addreſs the King, that no perſon who was not a native of his dominions, the Prince of Denmark excepted, be admitted to his Majeſty's Councils in England or Ireland. But before this Addreſs could be preſented, the King came to the Houſe of Peers April the 11th, 1700; and, after paſſing the bills in readineſs, commanded the Earl of Bridgewater, in the abſence of the Chancellor, who was indiſpoſed, to prorogue the Parliament, which was accordingly done without a Speech—his Majeſty thinking there was no room for the uſual expreſſions of ſatisfaction or gratitude; and not chooſing to give any public proof of diſcontent or reſentment *.

* The celebrated Prior, at this time Under Secretary of State to Lord Jerſey, in a letter to the Earl of Mancheſter, dated February the 12th, 1700, ſays, "To-morrow is the great day, when we expect that my Lord Chancellor will be fallen upon; though God knows what crime he is guilty of, but that of being a very great man, and a wiſe and upright Judge." In a ſubſequent letter, dated April the 10th, he ſays, "God knows how this buſineſs will turn, or where this violence of the Houſe of Commons will end.——Our friend"—meaning Mr. Montague—"has ſaid nothing of late in the Houſe of Commons. My Lord Chancellor is very *ſick*.—This is the abregé of our caſe." April the 11th—"You ſee what they would have done to my Lord Chancellor, and how Duke Schomberg and Lord Portland ſuffer in their Addreſs that ſtrangers ſhould not be Privy Counſellors.—Upon the main we have life for ſix months longer, *et alors comme alors*."

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In his private diſpatches to Lord Galway, written ſhortly after the riſing of Parliament, the King ſays: "You may judge what vexation all their extraordinary proceedings gave me; and I aſſure you, your being deprived of what I gave you with ſo much pleaſure is not the leaſt of my griefs.——There have been ſo many intrigues in this laſt ſeſſion, that, without having been on the ſpot and well informed of every thing, it cannot be conceived.——I never had more occaſion than at preſent for perſons of your capacity and fidelity. I hope I ſhall find opportunities to give you marks of my eſteem and friendſhip."

The King, being now fully reſolved at any rate to effect an accommodation with the Tories, informed Lord Somers on his firſt appearance at Court after recovering from his indiſpoſition, that it ſeemed neceſſary for his ſervice that he ſhould part with the Great Seal; and he wiſhed he would make it his own act. But this the Lord Chancellor with great dignity refuſed—ſince in his circumſtances, he ſaid, a reſignation muſt be ſuppoſed to indicate fear or guilt. An order was therefore formally ſent to him by Lord Jerſey, and the Great Seal delivered up April 17, 1700. The Chief Juſtice Holt and the Attorney General Trevor both declining the acceptance of it, Sir Nathan Wright, a man in no reſpect equal to that exalted ſtation, and much leſs to the illuſtrious perſonage

whom he ſucceeded, was appointed Lord Keeper. The diſmiſſion of Lord Somers was immediately followed by the reſignation of the Duke of Shrewſbury, the laſt of the great Whig Miniſters. The Earl of Jerſey took the key of Chamberlain, and Mr. Vernon officiated *pro tempore* as Secretary of State for both departments.

The ſpirit of national reſentment and animoſity in Scotland ſeemed ſtill to rage with unabated, or rather with increaſing, violence. In the month of December 1699, the Council General of the Company wrote to Lord Seafield, "that they had prevailed on Lord Baſil Hamilton to go up to London with an Addreſs to his Majeſty in behalf of thoſe men who were confined at Carthagena; and they requeſted that the Secretary would introduce Lord Baſil to the King, and aſſiſt in obtaining a gracious anſwer." Lord Seafield replied, "that his Majeſty did not refuſe the petition, but could not allow Lord Baſil to be the preſenter of it—that Nobleman not having yet *owned* his Majeſty's Government." In a ſhort time official notice was given to the Privy Council of Scotland, "that his Majeſty, though he had refuſed acceſs to Lord Baſil Hamilton, was reſolved to demand the releaſement of the priſoners at Carthagena from the Spaniſh Court.—And that it was his Majeſty's intention to advance the trade of Scotland, and to allow the ſubjects of that kingdom the ſame liberty

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of commerce that others enjoyed with the Engliſh Plantations." The Directors of the Company wrote a ſecond letter to Lord Seafield, "expreſſing their deep regret that Lord Baſil ſhould be refuſed acceſs to the King—he being perfectly verſed in the ſtate of their affairs, and provided with ample inſtructions concerning them—adding, that they never heard his Lordſhip had done any thing inconſiſtent with the duty of a loyal and peaceable ſubject." The King, however, perſiſted in his reſolution not to admit Lord Baſil into his preſence; and his Lordſhip ſhewed equal perſeverance in the proſecution of his ſuit. On his actually offering a Memorial to his Majeſty on paſſing to the Council Chamber, and attempting to addreſs him on the ſubject, the King, as we are told, with ſome marks of reſentment repreſſed his importunity. Upon which Lord Baſil with a reſolute air and tone of voice exclaimed, "I have a right to be heard, and I will be heard!" The King, turning to the Nobles around him, ſaid, "This young man is too bold, if any man can be too bold in the cauſe of his country."

In the month of March 1700, the Marquis of Tweeddale preſented an Addreſs in the name of the Scottiſh Nation, ſigned by an innumerable multitude, petitioning and almoſt inſiſting upon "a ſpeedy Seſſion of Parliament, in order that the Indian and African Company of Scotland might be

enabled to proſecute their undertaking with greater aſſurance and better ſucceſs than they had hitherto been able to do." In anſwer to which, the King engaged that the Seſſion ſhould not be poſtponed beyond the month of May. And on the 21ſt of that month, the Parliament was accordingly opened by the Duke of Queenſberry, Lord High Commiſſioner, with a moſt gracious letter from his Majeſty, aſſerting his royal intention to have held the ſeſſion in perſon, had the ſtate of affairs abroad permitted; and expreſſing his very great concern at the misfortunes and loſſes the Nation had ſuſtained in their trade; and promiſing to concur in any meaſures calculated to promote and encourage it. And the Lord Commiſſioner, in his ſpeech, aſſured the Parliament, that he knew his Majeſty's mind to be ſo favorably diſpoſed, that there was a certainty of obtaining any thing that could be in reaſon aſked on this head. But theſe ſoothing declarations ſeemed to produce little effect. In a ſhort time a ſtrong and inflammatory remonſtrance was preſented from the Darien Company, reciting all the loſſes, diſappointments and hardſhips they had ſuſtained. This was followed by petitions and addreſſes of the ſame kind from all parts of the kingdom. And a reſolution being moved, " that the Colony of Caledonia in Darien was a legal and rightful ſettlement, in the terms of the Act of Parliament of 1695; and that the Parliament

liament would maintain and ſupport the ſame:" the Commiſſioner, to avoid the conſequence of ſuch a vote, immediately adjourned the Parliament for three days. But all his endeavors in that interval to extinguiſh, or even to moderate, the flame which raged ſo fiercely, were ineffectual. The Parliament met again in the ſame ferment, and with the ſame diſpoſition as before—ſo that his Grace was compelled, by a dangerous and invidious exerciſe of the prerogative, to adjourn them for twenty days more. This ſtep the Lord Commiſſioner condeſcended to apologiſe for, in a plauſible and popular ſpeech, in which he declared, "that as he was ever firm and faithful to his King, ſo he was ever zealous for the honor and intereſt of his country—and that he had hoped at this time to do acceptable ſervice to both.—He told them, that he had power and inſtructions for every thing that appeared neceſſary or convenient for the good and advantage of the Nation as to their religion, property, liberty, trade; and particularly what could be of moſt ſolid uſe to the African and Indian Company. But ſeveral things having occurred wherein he found himſelf obliged to conſult his Majeſty, he was under the neceſſity of adjourning Parliament for ſome days." But in the preſent paroxyſm of enthuſiaſm, all theſe arts of conciliation were vain. The majority of the Members met that very evening, and framed an

Addreſs to the King in a high ſtrain, rather "beſieging than beſeeching" the Throne—and demanding that Parliament ſhould meet on the day to which it was then adjourned, and to ſit as long as might be neceſſary for redreſſing the grievances of the Nation. This was preſented to the King by Lord Roſs, June 11th, 1700, at the head of a deputation appointed for that purpoſe: and they received for anſwer, "that they ſhould know his intentions in Scotland." In the interval, the Parliament had been again adjourned by proclamation, on which great tumults had enſued in the city of Edinburgh; and the malcontent Members talked of ſitting by force. The boldeſt language was unreſervedly uſed; the Nation was ſaid to be out of the protection of the Crown—and, if another Convention had been in this criſis called, there was reaſon to believe that the throne would have been a ſecond time declared vacant.

Juſtly alarmed at this ſtate of things, the King at laſt wrote (July 26) to the Lord Commiſſioner a remarkable letter, afterwards publiſhed by authority, in which he declared, "that if it had been poſſible for him to have agreed to the Reſolve offered to aſſert the right of the African Company, he had readily done it for the ſatisfaction of his People—That he was truly ſorry for the Nation's loſs, and moſt willing to concur with his Parliament in every thing that could be reaſonably expected

pected of him, for aiding and ſupporting their intereſts—and for demonſtrating his hearty inclinations to advance the wealth and proſperity of that his Majeſty's ancient kingdom—That he was confident this declaration would be ſatisfying to all good men, who would certainly be careful both of their own preſervation and of the honor and intereſt of the Government, and not ſuffer themſelves to be miſled, nor to give advantage to enemies and ill-deſigning perſons ready to catch hold of any opportunity, as their practices did too manifeſtly witneſs."—This declaration produced a ſenſible effect upon the minds of all who were capable of reflection: and though a ſecond violent National Addreſs was ſigned, the Parliament had met before it could be preſented, and the King wiſely referred it to their conſideration. The King's letter to the Parliament, at the re-commencement of the ſeſſion, was conceived in the ſofteſt and moſt inſinuating terms, engaging to give the royal aſſent to all ſuch bills as ſhould be offered to him for the better eſtabliſhment and ſecurity of the religion, liberty, and commerce of the Nation, ſo that nothing ſhould be wanting on his part to make his People contented and happy.

Another warm and angry repreſentation was nevertheleſs preſented from the Darien Company, the very firſt day of the renewed ſeſſion, which was immediately followed by the ſecond National Ad-

dreſs. But the ſtorm now began viſibly to abate. The Parliament ſaw that the loſs the Nation had ſuſtained, however great, was irretrievable. They could not but perceive the extreme difficulty of the King's ſituation; and if his conduct was not wholly to be vindicated, it doubtleſs claimed the moſt candid conſtruction, and admitted of the greateſt palliation. What better could be done than, forgetting the paſt, to embrace and improve the preſent favorable diſpoſition of the Court to enact laws and eſtabliſh regulations ſuch as the ſtate of the kingdom required—ſuch as were moſt conducive to the permanent welfare and proſperity of the country? Theſe public conſiderations, corroborated no doubt by others of a more private nature, happily prevailed. The indignant humor of the Parliament and even of the Nation gradually ſubſided: and when the great queſtion of Supplies came under diſcuſſion, January 21, 1701, a loyal cheerful vote paſſed, "that, in conſideration of their great deliverance by his Majeſty, and that, next under GOD, their ſafety and happineſs depended wholly on the preſervation of his Majeſty's perſon and the ſecurity of his Government, they would ſtand by and ſupport both his Majeſty and his Government to the utmoſt of their power; and maintain ſuch forces as ſhould be requiſite for thoſe ends." To ſum up the whole, this factious and turbulent ſeſſion had a calm and peaceful cloſe;

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and the Lord Commiſſioner, after the riſing of Parliament, was honored by an high and unuſual compliment with the order of the Garter, and the Earl of Argyle with a Dukedom; in acknowledgment of the eminent ſervices performed by them in the courſe of this arduous buſineſs.

It is now neceſſary to advert to the ſtate of affairs in the northern kingdoms of Europe, where, about this time, very ſtriking ſcenes began to unfold themſelves, of leſs moment indeed to England than thoſe of the South, but by no means unconnected with her national and political intereſts.

Chriſtiern V. King of Denmark had departed this life about the cloſe of the preceding ſummer (1699), and was ſucceeded by his ſon Frederic IV. who, with the aſpiring views common to Princes, immediately conceived, and was impatient to carry into execution, great and extenſive views of aggrandiſement. Finding a perfect concurrence of ſentiment in all the Powers bordering on the ſouthern ſhores of the Baltic, a grand Confederacy was formed, of which the Czar of Muſcovy, the Kings of Poland and Denmark, and the Elector of Brandenburg, were the high contracting parties, and which had for its object a joint and general attack upon the kingdom of Sweden, then under the government of Charles XII. a youth of eighteen years of age, and whoſe great and heroic qualities were as yet unknown to the world, and probably to himſelf. According

cording to the plan concerted by the confederate Powers, Sweden was to be aſſailed, at one and the ſame time, in Holſtein by the King of Denmark, in Weſtern Pomerania by the Elector of Brandenburg, in Livonia by the King of Poland, and in Ingria and the provinces lying eaſtward of the Gulph of Finland by the Czar of Muſcovy. Holſtein was not indeed a province of Sweden, but the Duke of Holſtein had married the elder ſiſter of the King of Sweden; and was united in the cloſeſt bonds of alliance and friendſhip with that Monarch. On pretences too futile to enumerate, the King of Denmark entered the territories of the Duke, and laid cloſe ſiege to Toninghen.

The King of Sweden had not been inattentive to the dangers which threatened him. In the month of January this year (1700) he had concluded a Treaty with the Maritime Powers, in which the contracting parties engaged for the reciprocal guarantee of each other's dominions: and the King of England reſolved to maintain, by the moſt vigorous meaſures, the dignity of his character as the general guardian and mediator of Europe. The King of Denmark, knowing the ſituation of affairs in Great Britain, was indiſcreet enough publicly to ſay, "that while the King of England was at variance with his Parliament, he would be able to do but little in Europe." This being reported to King William, that Monarch obſerved to the

Marquis

Marquis de Foret, a Saxon nobleman attached to the Daniſh Court—"that he would make Denmark know he was ſtill able to do ſomething in Europe." A formidable fleet was immediately equipped both in the Engliſh and Dutch ports: and in July 1700 Sir George Rooke, who was appointed to the command, arrived in the Sound—and being ſoon after joined by the Swedes, the combined ſquadrons conſiſted of no leſs than fifty-two ſhips of the line of battle. The Daniſh fleet, unable to reſiſt ſo great a force, retired within the harbor of Copenhagen; and that metropolis was ſubjected to the inſult of a ſlight bombardment.

The Dukes of Lunenburg, acting in concert with England and Holland, at the ſame time paſſed the Elbe with a large body of troops, and, joining the Swediſh and Ducal army, obliged the Danes to raiſe the ſiege of Toninghen. The King of Denmark now declared his willingneſs to accept the mediation of the Maritime Powers in conjunction with France, and requeſted the Engliſh Admiral to deſiſt from all farther hoſtile operations. But Sir George Rooke replied, that, though to effect a permanent accommodation was the great object of his expedition, he had no power to agree to any temporary ceſſation. In the beginning of Auguſt the King of Sweden landed in perſon on the iſle of Zealand, and preparations began to be ſeriouſly made for the ſiege of the Daniſh metropolis. But

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the Engliſh commander not diſplaying all the alacrity which the impatience of the King of Sweden thought the occaſion called for, ſome warm expoſtulations are ſaid to have fallen from the lips of that Monarch—to which Sir George Rooke coolly replied, "I was ſent here to ſerve your Majeſty, not to ruin the King of Denmark."

His Daniſh Majeſty was now ſufficiently humbled to accept the mediation of the Maritime Powers without the concurrence of France—and a treaty of peace was ſigned under their guarantee, at a houſe of the Duke of Holſtein, called Travendahl, in the neighborhood of both camps, Auguſt 18th, 1700, on the principle of mutual reſtitution—the King of Denmark paying to the Duke of Holſtein 260,000 rix-dollars for the charge of the war. The fleets of England and Holland did not leave the Baltic till the Swediſh armies had reached in ſafety their native ſhores. They then returned in triumph from this memorable expedition, which entitled the King of England, beyond all diſpute, to the glorious appellations of pacificator and arbiter of the North*.

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* To ſome modern Miniſters it may well appear incredible, but Biſhop Burnet aſſures us that the Baron de Pleſſe, confidential Miniſter to the late King of Denmark, not chooſing, at the acceſſion of the new King, to engage in what the *infamous flatterers* of the Court no doubt ſtyled "a juſt and neceſſary war," voluntarily reſigned his employments—which he had filled with great

An event happened in the courſe of this ſummer, which excited great and univerſal concern. The Duke of Gloceſter, only ſon of the Prince and Princeſs of Denmark, a youth of promiſing hopes, had completed his eleventh year on the 24th of July 1700, on which occaſion a gala had been celebrated at Windſor. In conſequence it was thought of being over-heated with dancing, he was ſeized the next day with a malignant fever, for which cordials were preſcribed by the phyſicians, apparently with no other effect than to inflame the diſorder. And on the 30th of the month he expired at midnight, to the inexpreſſible grief of his parents, being the only ſurviving child of a very large family. On this melancholy cataſtrophe, the eyes of the nation were turned to Sophia, Electreſs Dowager of Hanover, youngeſt daughter to the Queen of Bohemia, and grand-daughter of King James I. This Princeſs was already by implication next in ſucceſſion to the crown, after the Princeſs of Denmark, the Catholic branches of the Royal Family being excluded by act of Parliament. The Electreſs, on receiving this intelligence, immediately repaired to the Hague, in order to confer with the King on the meaſures neceſſary for the preſent

great ability and reputation. The Biſhop ſtyles him "one of the ableſt and worthieſt men he ever knew;" but when things were taking another courſe, and the path of rectitude was to be abandoned, he ſhowed, by an illuſtrious example, that "the poſt of honor was a private ſtation."



ſecurity

ſecurity and eventual eſtabliſhment of the Proteſtant ſucceſſion in the Houſe of Brunſwick.

The ſecond Treaty of Partition, which the King was vainly anxious to conceal, was by this time generally known throughout the kingdom, and almoſt as generally condemned. It was ſaid, that ſo important an affair ought not to have been concluded without the advice of Parliament—that it was a violation of faith, as contrary to the conditions of the League of Augſburg—that unleſs concerted with the King of Spain, it was unjuſt in the contrivance and hazardous in the execution—that the terms granted to France were prejudicial to the intereſts of this country, and deſtructive to the balance of power; as the poſſeſſion of Naples and the Tuſcan ports muſt ſubject Italy to their yoke, whilſt the ceſſion of Guipuſcoa afforded them an inlet into the heart of Spain.

The almoſt extinguiſhed hopes of the Jacobites revived at the political diſcontents of the nation, taken in connection with the death of the Duke of Gloceſter. And Mr. Graham, brother to Lord Preſton, was diſpatched to St. Germaine's with a propoſal to ſettle the Crown by Act of Parliament on the pretended Prince of Wales; and an aſſurance that the King would not be ſupported in the execution of the Partition Treaty. But the Court of St. Germaine's, as the Earl of Mancheſter aſſerts in his diſpatches, would never liſten to any propoſition

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which implicated a change of religion in the Prince; —the King and Queen having declared they would rather ſee him in his grave.

The conduct of the Court of Verſailles, ſince the concluſion of the ſecond Treaty of Partition, had been in the higheſt degree artful and inſidious; whilſt that of the Imperial Court was in the ſame proportion weak and irreſolute. The Emperor perſiſted in refuſing to accede to the Treaty of Loo, though no vigorous or effectual ſteps were taken to enſure the ſucceſſion to the Archduke, againſt the formidable combination of France and the Maritime Powers. "The grand dependance of the Court of Vienna," as M. de Villars informs us, "was upon what they were pleaſed to call 'the miracle of the Houſe of Auſtria;' and a multitude of examples were cited concerning that auguſt Houſe, which, when apparently ready to fall, had raiſed itſelf, after being loſt to all hopes." It was not that men of genius and talents were wanting, but the reigning Monarch had not the faculty of diſcerning them. The Count de Jerguer, in particular, declared "that he had aſſuredly a very ſtrong belief of *paſt* miracles, but that, as to preſent ones, he was altogether ſceptical.—That he looked upon the King of Spain as dead; and that their reſolutions ought to be as deciſive as if they expected to receive the news of it to-morrow. He regarded all compromiſe as impracticable;

practicable; and it was his opinion that they ought to prepare for war." But the Imperial Court ſtill continued to heſitate and temporize, and by a policy neither warlike nor pacific ſhe forfeited the advantages of both.

In the mean time the Marquis of Harcourt continued his intrigues at Madrid with the greateſt addreſs and aſſiduity. He had entirely gained over to the intereſt of France the major part of the Spaniſh Nobles, who were perſuaded that France was the only power which could preſerve the Spaniſh Monarchy from diſmemberment, which of all things the Spaniſh pride moſt dreaded. The Queen of Spain, aunt to the Archduke, who had hitherto been moſt zealous in the cauſe of the Houſe of Auſtria, began to perceive that ſhe was ſtriving in vain againſt the current. The Council of Spain, with the ſingle exception of the Count d'Acquilar, had reſolved, "that the beſt advice they could give his Majeſty was, to declare a Prince of France to be his ſucceſſor." The Queen knew her unpopularity both with the Nobles and the Nation at large—her violent and rapacious conduct had alienated the hearts of all from the Germans—and fearing that France would be ultimately ſucceſsful in ſpite of all the oppoſition ſhe was able to raiſe, it appeared time to conſult her own intereſt and ſafety by a reconciliation with the predominant party.

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The King of Spain was now drawing apace to the cloſe of his miſerable life: and the reflection that a Prince of the Auſtrian line muſt owe his chief ſupport to heretics, was thought much to affect his weak and ſuperſtitious mind. Cardinal Porto-Carrero, for the repoſe of the King's conſcience, adviſed him to conſult the Pope on this momentous point of regulating the ſucceſſion. Innocent XII. who was firmly attached to France, after taking the opinion of a College of Cardinals, determined againſt the validity of Queen Maria Tereſa's renunciation, as being "founded on compulſion, and contrary to the fundamental laws of the Spaniſh Monarchy; and exhorted his Catholic Majeſty to make his will in favor of one of the French King's grandſons, by which he would effectually contribute to the propagation of the Faith and the repoſe of Chriſtendom." As ſoon as this infallible deciſion was procured, the Cardinal of Toledo redoubled his efforts to perſuade the King his maſter to act in conformity to it. And having at length fixed the wavering diſpoſition of the King, a new teſtamentary arrangement took place, dated October 2d, 1700; by which the Monarchy of Spain, with all its dependencies in the four quarters of the globe, were left to the Duke of Anjou, ſecond ſon of the Dauphin; and in default of iſſue to his brother the Duke of Berri, and next to the Archduke Charles. As the laſt ex-

treme of even regal imbecility and folly, it deſerves mention, that among other forfeitures of the Crown ſpecified in the Will of the King of Spain as conditions impoſed upon his ſucceſſors, is the denial of the doctrine of the immaculate conception of the Virgin Mary.

Although nature appeared wholly exhauſted, and the art of medicine could no longer afford the ſmalleſt relief, the King lingered a few weeks after ſigning this new will; and breathed his laſt on the 1ſt of November 1700. An expreſs was immediately diſpatched to the Court of France with the intelligence of this important event. In two hours after its arrival, a Council was held in Madame Maintenon's apartments. The King of France was, or affected to be, irreſolute as to the acceptance of the will; and the majority of the Miniſters of State preſent gave their opinion in favor of adhering to the Treaty. But the Dauphin declared the honor of France to be ſacrificed in refuſing the bequeſt; and Madame de Maintenon aſked, with an air of impatience, "What had the Duke of Anjou done to provoke the King to bar him of his right of ſucceſſion?" The King at length yielded; on which great joy was expreſſed; and ſending for the Duke of Anjou, he ſaid to him in the preſence of the Marquis des Rios, "Sir, the King of Spain has made you King. The Grandees demand you, the People wiſh for you,

and

and I give my conſent. Render yourſelf worthy of the Throne you are going to mount." The Dauphin triumphantly declared, that it ſhould be his glory to ſay, "the King my father, and the King my ſon." All the Princes of the blood came to congratulate the new Sovereign, who ſet out early in December (1700), accompanied by his two brothers, to take poſſeſſion of the Kingdom. On parting, the King of France exclaimed, "Il n'y a plus de Pyrenées!"

In the diſpatch written on this event by the Earl of Mancheſter to the Earl of Jerſey, the Ambaſſador ſays, "that M. de Torcy informed him, the King of France had well conſidered the occaſion and intent of the late Treaty with England; which was to prevent a war in Europe—that the refuſal of the Emperor to accede to the Treaty, and the diſcontents that had ariſen in England and Holland in conſequence of it, had convinced the King his maſter of the neceſſity of accepting the will of the King of Spain in favor of the Duke of Anjou—that it was certain the Treaty was more advantageous to France, and was what the King wiſhed; but that, in order to carry it into execution, whole Kingdoms muſt be conquered—the Spaniards being reſolved not to ſuffer the diſmemberment of the Monarchy.—Finally, that the King of France hoped that the ſtrength of theſe reaſons would ſo far prevail with the King of England, that there

might ſtill be the ſame good underſtanding as ever, which was ſo neceſſary for the good and quiet of Europe." To this urgent diſpatch, in which the Ambaſſador requeſted deciſive inſtructions in what manner to act, an anſwer was returned by Secretary Vernon, coldly expreſſing, "that the King muſt be allowed to conſider what might be the conſequence of ſo ſudden a change, and to learn the ſentiments of other Princes and States who are equally concerned in the preſervation of the balance of power in Europe."

On his return to England in the month of October (1700), the King made ſuch arrangements as he had concerted, in order to eſtabliſh the aſcendency of the Tories in the Adminiſtration. Lord Godolphin was reſtored to his former poſt in the Treaſury; Lord Tankerville made Privy Seal in the room of Lord Lonſdale deceaſed; the Earl of Rocheſter was appointed Lord Lieutenant of Ireland; Sir Charles Hedges conſtituted Secretary of State; and in order that the eloquence of Mr. Montague might be for ever ſilenced where it had the greateſt ſcope for exertion, and would be attended with moſt effect, he was created a Peer by the title of Baron Halifax.

The new Miniſters thinking their intereſt would be ſtrengthened by a re-election, a diſſolution immediately took place; and a new Parliament was ſummoned for the 6th February 1701. In the interval

terval very important negotiations were carrying on with redoubled aſſiduity in the different Courts of Europe. The King of France had now taken a decided and irrevocable part. His higheſt ambition was gratified in ſetting his grandſon on the throne of Spain with the unanimous approbation of the Spaniſh Nation: and as he well knew that the point of honor with them conſiſted in preſerving the unity of the Monarchy, he reſolved not to liſten to any propoſal of diſmemberment; though otherwiſe really deſirous of maintaining the peace of Europe, and willing to give any reaſonable ſecurity as a pledge of his ſincerity.

The obſtinate ſilence of the King of England was calculated to excite the moſt ſerious apprehenſions of the Court of Verſailles, which ſeemed to regard the menaces of the Emperor with contempt. Holland however required all the arts and refinements of management; and a Memorial preſented by M. Heemſkirke, the Dutch Envoy at Paris, complaining of the violation of the late Treaty, was anſwered with great ability, the anſwer being afterwards publiſhed as a ſort of Manifeſto. In this paper it is maintained, "that the execution of the Treaty would have produced infinite troubles—that while his Moſt Chriſtian Majeſty obſerved the *ſpirit*, he was not liable to the leaſt imputation for abandoning the letter—that the ſame motive which had induced him to make

the Treaty had induced him to accept the Will, viz. the deſire of peace—that all the diſadvantage ariſing from this change of meaſures redounded to himſelf—that his Majeſty had therefore reaſon to believe his allies would praiſe his moderation rather than complain of his conduct.—The people of Spain receive, with the peace, him whoſe birth, the diſpoſition of the late King, and the univerſal wiſhes of all the Eſtates of the Monarchy call to the Crown."

In the month of December (1700) the Count de Tallard came to England as Ambaſſador of France, and, being admitted to an audience of the King at Hampton-court, delivered to him a letter from his Moſt Chriſtian Majeſty. The Count was received with cold and diſtant civility—the King of England expreſſing in general terms his deſire "that all the world ſhould be ſatisfied of his diſpoſition to preſerve the public tranquillity." The Ambaſſador anſwered, "that his maſter had the ſame inclination to peace, and thought he had given a proof of it by accepting the King of Spain's Will." The King replied drily, "that he did not underſtand how that could be made out." In a diſpatch to M. Briord, the King of France, whoſe practice it was to correſpond with his Miniſters perſonally, inſtructs the Envoy to inform himſelf of the deſigns of Holland, and obſerves, "that the alacrity which appears at preſent in the negotiations carrying

rying on with the Princes of the Empire differs widely from the dilatorineſs of the ſame Penſioner when negotiating with the ſame Princes to bring them into the Partition Treaty." And in a following diſpatch, dated December 24 (1700), he ſays, "It is certain the King of Great Britain will find great oppoſition from his Parliament in caſe he is diſpoſed to carry things to a rupture."—And he expreſſes great anxiety for the evacuation of the Spaniſh barrier towns by the Dutch garriſons. On the ſuppoſition that the preſent differences might be accommodated conformably to the propoſal of M. Lillieroot, he declares, "that one of the articles of the new alliance ought to contain a proviſion for the withdrawment of the ſaid troops, on which condition he would engage not to replace them with any of his ſo long as the alliance ſubſiſted *."

The Elector of Bavaria, Governor of the Low Countries, on the death of the Spaniſh Monarch had without heſitation acknowledged the validity of the Will, and been forward in his profeſſions of zeal and attachment to his ſucceſſor.

At this period died Pope Innocent XII. and Cardinal Albani was, at fifty-three years of age, unexpectedly raiſed to the Pontificate in his ſtead, by the name of Clement XI.; and though not accounted one of the French faction, and even

* Cole's State Papers. Letter of Secretary Vernon to the Earl of Mancheſter.

oppoſed in his election by the French Cardinals, the Court of Verſailles had the addreſs entirely to gain him over in a ſhort time to their intereſts.

The Emperor in the mean while, aſtoniſhed at the fatal turn things had taken, fell into all the perplexities and uncertainties which great diſappointments, great pride, and great weakneſs always occaſion. Determined at length by paſſion, not by policy, and, wholly deſtitute of preſent ſupport, upon meaſures of hoſtility, he iſſued his Imperial Mandate to the inhabitants of the Milaneſe, reclaiming that duchy as a fief of the Empire, and commanding all perſons to yield obedience to the ſame as his feodatories, on pain of being treated as rebels. "The French," according to the repreſentations of the Earl of Mancheſter, "held his impotent efforts in contempt—yet they reſolved to take right meaſures in caſe of the worſt." At the end of December 1700, Count Wrattiſlau arrived in London as Ambaſſador Extraordinary from the Emperor. He did not, as it appears, at the firſt meet with a very flattering reception. But the whole tenor of the negotiation carried on at Paris and Madrid demonſtrating that no material conceſſion was to be expected from France; and, what appears to have affected very ſtrongly the feelings of the King of England, the Dutch garriſons being expelled from the barrier towns, and French troops introduced; the Court of London

began in earneſt to liſten to the propoſitions tranſmitted from Vienna *.

Such was the ſtate of affairs when the new Parliament met at Weſtminſter on the 10th of February 1701. On the preliminary conteſt on the choice of a Speaker, it was carried in favor of Mr. Harley by 249 voices to 125 who declared for Sir Richard Onſlow—a clear demonſtration of the great predominance of the Tory intereſt. In his ſpeech to both Houſes, the King took notice of the "neceſſity of a farther proviſion for the ſucceſſion to the Crown in the Proteſtant line. The death of the late King of Spain," ſaid the Monarch, "with the declaration of his ſucceſſor to that Monarchy, has made ſo great an alteration in the affairs abroad, that I muſt deſire you very maturely to conſider their preſent ſtate. And I make no doubt but your reſolutions thereupon will be ſuch as ſhall be moſt conducive to the intereſt and ſafety of England, the

* The King of France, in his diſpatch of December the 24th, 1700, to Monſieur Briord, ſays, "Means muſt be uſed to diſlodge the Hollanders, and to leave the Spaniards in the ſole poſſeſſion of their own towns." On the 6th of February 1701, a number of French troops were introduced into all the barrier towns, from Luxemburg to Oſtend and Nieuport, with ſo much ſecrecy that the Dutch officers in thoſe places had not the leaſt previous ſuſpicion of the deſign; and the next day an apologetic memorial, moſt ably drawn, was preſented to the States General, ſtating the reaſons for this meaſure, and declaring it was no longer poſſible to leave the troops of their High Mightineſſes in the fortreſſes of a King whom they did not own."

preſervation

preſervation of the Proteſtant religion in general, and the PEACE of all EUROPE." The reſt of the ſpeech conſiſted of the common-place topics of ſupplies, regulation of trade, unanimity and vigor, &c. except a recommendation to the Houſe to "conſider what *augmentation* may be requiſite for the navy, which is the great bulwark of the Engliſh nation—and ought, at this conjuncture moſt eſpecially, to be put into a good condition."

The ſeſſion ſeemed to open with happy omens. A reſolution paſſed by a great majority, "that the Houſe would ſtand by and ſupport his Majeſty and his Government, and take ſuch effectual meaſures as might beſt conduce to the intereſt and ſafety of England, the preſervation of the Proteſtant religion, and the PEACE of EUROPE." The laſt words were objected to by Seymour, Howe, Muſgrave, and others of the party, who affirmed, that they had an ambiguous ſignification, and, in their opinion, portended war. Terms were ſometimes, it was remarked, inverted, and this was ſuch a ſort of an oracle as Janus himſelf might have delivered. This being made a teſt of party, a diviſion enſued, and the clauſe in queſtion was confirmed by a majority of eighteen voices only, the numbers being 181 againſt 163. The Court of France ſeemed alſo to be much ſtaggered at this ſpecies of double reſponſe. The Earl of Mancheſter ſays to Secretary Vernon, "They have the King's Speech at this

Court. I hear they do not know what to make of it, and ſtill ſuſpect us."

In the mean time the States General, being repeatedly preſſed upon the ſubject by France, thought proper to recogniſe in form the new King of Spain; of which they appriſed the Court of London in a memorial, which the King ordered to be laid before the Houſe. In this paper their High Mightineſſes declare, "that, notwithſtanding the recognition made by them, they had reſerved to themſelves the liberty of ſtipulating in the negotiation about to commence for ſuch conditions as were neceſſary *to ſecure the peace of Europe*—that in this negotiation they had firmly reſolved to do nothing without the conſent of his Majeſty and the other Powers intereſted in the maintenance of the peace; as they had declared to the Ambaſſador of France. And finally, being apprehenſive of a ſudden attack, they make a requiſition of the ſuccors due to them by the exiſting treaties."

The Commons on this communication voted, without heſitation, an Addreſs to the King, "that he would be pleaſed to enter into ſuch negotiations in concert with the States General and other Potentates as might moſt effectually conduce to the general ſafety; and giving him aſſurances of ſupport and aſſiſtance in the performance of his engagements." It having been ſuggeſted in the diſcuſſion, that it might be no leſs proper for England than Holland

Holland to own the title of the King of Spain; Mr. Monkton, a zealous Whig, with great heat replied, "that if ſuch a vote was carried, he ſhould expect that the next vote would be for *owning* the pretended Prince of Wales." In the preſent temper of the Houſe, this extraordinary ſally was much applauded, and produced no inconſiderable effect.

With the Dutch Memorial was alſo preſented to the Houſe an intercepted paper, purporting to be a letter from the Earl of Melfort, the diſcarded Secretary at the Court of St. Germaine's, to his brother the Earl of Perth, Governor of the young Prince, full of wild and incoherent projects, endeavoring to ſhew how favorable an aſpect the affairs of the King then wore, and urging the propriety of ſome "great and vigorous attempt againſt England.—But this," he ſays, "will never be done by a Proteſtant Miniſter"—meaning the Earl of Middleton—"lazy in his temper, an enemy to France by his inclinations, tainted with common-wealth principles; and againſt the King's returning by any other power than that of the People of England, and upon capitulations and terms—who is ſuſpected of giving aid to the *Compounders*, if not worſe." This contemptible epiſtle, which exhibits the character of the Earl of Melfort, who had ſo long poſſeſſed the real confidence of the Court of St. Germaine's, in a moſt degrading point of view, in the preſent juncture anſwered

ſwered the purpoſe of the Court of London, by increaſing and inflaming the political animoſity againſt France. The Commons do not appear to have thought it worthy of ſpecific notice; but the Lords preſented an Addreſs of Thanks to his Majeſty, for communicating to them the Earl of Melfort's letter; and deſiring that Popiſh Recuſants ſhould be removed from London, &c.

The Court of Verſailles were highly offended at the uſe made of this letter, which M. de Torcy told the Earl of Mancheſter "was *intended* to incenſe the nation, and ſhewed a *deſire* of breaking with France." He repreſented Lord Melfort as a deſpicable perſon, who had no credit at Verſailles, or even at St. Germaine's—and, upon the whole, he ſeemed to conclude, that the Court of London *meant* to enter into a war. In order, nevertheleſs, to give every reaſonable ſatisfaction on this head, the Earl of Melfort was baniſhed by a *lettre de cachet* to Angers.

In conſequence of the late Addreſs of the Commons, followed by a vote for 30,000 ſeamen, the Courts of London and the Hague aſſumed a very loſty tone; and inſtructions were tranſmitted to Mr. Stanhope, Reſident in Holland, to enter into an immediate negotiation with the Miniſters of France and Spain, upon the conditions therein ſpecified—importing, not only that the French troops ſhall evacuate the Spaniſh fortreſſes, but that

Nieuport

Nieuport and Oſtend ſhall be put into the hands of the Engliſh—and Luxemburg, Namur, and Mons, to which the States General thought proper to add Venlo, Ruremonde, Stavenſwart, Charleroi, Dendermonde, Damme, and St. Donat, with their appurtenances, be conſigned to their High Mightineſſes, during ſuch time as ſhall be agreed upon —with various other demands, which, when communicated to M. D'Avaux, appeared ſo extravagant, that he declared they could not have been higher if his maſter had loſt four ſucceſſive battles.

The King of France, perceiving no proſpect of peace on moderate terms while harmony ſubſiſted between the King and Parliament of England, is charged with uſing corrupt and clandeſtine means to involve the Engliſh in domeſtic broils, in order to embarraſs the meaſures of the Court. The prodigious influx of louis-d'ors and piſtoles at this period is a fact admitted by all; and the mercantile ſolution, founded on the pretended favorable courſe of exchange, is ſcarcely ſufficient to obviate the jealous apprehenſions of the politician. Biſhop Burnet aſſerts, though his characteriſtic credulity and careleſſneſs reduce his authority very low, "that the packet ſeldom came without 10,000 louis-d'ors, and often more—that the nation was filled with them, and that in ſix months' time a million of guineas was coined out of them." From the unqueſtionable evidence of a Proclamation, publiſhed

publiſhed February 5th, 1701, it appears, that theſe coins were in very extenſive circulation—and his Majeſty, being, as the Proclamation expreſſes, "deſirous to prevent the damage that may accrue to his good ſubjects by the great quantity of ſuch French louis-d'ors and Spaniſh piſtoles as have been of late imported into this kingdom, and received for more than their intrinſic value, orders that they ſhall not hereafter paſs for more than ſeventeen ſhillings each."

Certain it is, that at this period the temper and diſpoſition of the Houſe of Commons ſuſtained a ſudden and unexpected change. But it muſt at the ſame time be admitted, that there exiſted internal and political cauſes apparently not inadequate to the effects produced. The great body of the Tories were ſtill diſſatisfied with the Miniſterial arrangements, from which ſeveral of the moſt popular and diſtinguiſhed leaders of the party, Seymour, Muſgrave, Howe, &c. were excluded. Though animated in a certain degree by the national reſentment againſt France, and ſolicitous to obtain ſatisfaction and ſecurity, they were deſirous to avoid the folly and danger of a war, the object of which, carried on in conjunction with the Emperor, muſt be not ſecurity but conqueſt. The balance of power in Europe was alleged to be in danger by the cloſe political union of the two Monarchies of France and Spain under the Houſe

of

of Bourbon. The Maritime Powers, combined with Auſtria, reſolved therefore to humble the pride and diſmember the territories of that formidable Houſe. But if they were able to do this, the balance of Europe was not in danger—and if they had not the ability, it muſt be the extreme of folly to riſque the attempt. But the Whigs, who were inſpired by greater zeal againſt France, and at the ſame time eager to recover the ground they had loſt with the King, entered into the views of the Court without conſtraint or difficulty—and, if the war now in contemplation ſhould receive the ſanction of the Nation, there was reaſon to apprehend they would quickly regain their aſcendency. The Tories therefore determined, while yet the ſuperior party, to aim ſuch a blow at the heads of their antagoniſts as they ſhould never be able to recover.

On the 10th of March 1701, a motion was made in the Houſe of Lords, where the attack was deſtined to begin, to take into conſideration certain papers previouſly laid before their Lordſhips, relative to the negotiations carried on under the late Whig Adminiſtration; and a committee was nominated to make a report of the contents. This committee, of which the Earl of Nottingham was chairman, and the moſt active members of which conſiſted of determined Tories or diſcontented Whigs, brought forward a number of reſolutions, on which the Houſe, taken as it ſeems by ſurpriſe,

grounded

grounded an Addreſs to the King, ſtrongly condemning the Partition Treaty, which no one indeed pretended entirely to juſtify. The Earl of Rocheſter and the other Miniſters preſent concurring in this Addreſs, the Whig Lords in connection with the Court, who were very numerous, acquieſced, ſeeing that the Addreſs was ſo worded as to avoid all perſonal attack upon the late Miniſters, but rather containing an exculpation of them, as not having been admitted to a participation of the counſels which produced it. Very few of the Peers attended the Lord Keeper on the preſentation of this Addreſs to the King, who evaſively replied, "that it contained matter of great moment, and that he would always take care that the treaties made by him ſhould be for the honor and ſafety of England."

But this was only the prelude to what was ſoon to follow in the grand ſcene of political action, in the Lower Houſe; where, on the 21ſt March (1701), an Addreſs was voted "to thank the King for his communications reſpecting the ſtate of the negotiation;" and the Whigs propoſing to add, "and for his Majeſty's care of theſe Nations and the PEACE of EUROPE," one of the moſt violent debates ever known in the Houſe of Commons took place, in which the political ſyſtem of the Court was attacked with the utmoſt ſeverity, and the Partition Treaty reprobated in terms of the

extremeſt virulence. It was ſtyled by Mr. Howe "A FELONIOUS TREATY,"—and it was ſaid to be not more iniquitous than impolitic. The queſtion being at laſt referred to a diviſion of the Houſe, it was carried in the negative by 193 to 187 voices —notwithſtanding the inſidious ſupport of the Tories in office, who profeſſed to regard the words as merely complimentary.

Having obtained this victory, the leaders of the Oppoſition next moved, inſtead of the clauſe rejected, to lay before his Majeſty "the ill conſequences of the Treaty of Partition to this Kingdom and the PEACE of EUROPE." This being agreed to without a diviſion, a Committee was appointed to draw up an Addreſs conformably thereto; in which, after returning thanks to the King for acquainting the Houſe with the ſtate and progreſs of the negotiations now pending, they go on to ſay, "which method had your Majeſty been adviſed to take before the Treaty of Partition was perfected, which was paſſed under the Great Seal of England during the ſitting of Parliament, and without advice of the ſame, we had been prevented from laying before your Majeſty what we are now bound in duty, though with grief, to do—to which Treaty may juſtly be aſcribed the dangers which now threaten both this Kingdom and the PEACE of EUROPE." The King felt a reſentment on this occaſion which he had too much

much diſcretion to expreſs, and contented himſelf with a vague anſwer of the "manifold benefits which would ariſe from the concurrence of Parliament in all his negotiations for the happineſs of his People and the PEACE of EUROPE."

The Earl of Mancheſter, in animadverting upon this incident, informs Mr. Vernon, that M. de Torcy told him "the language of the Engliſh Parliament reſpecting the King of France had been ſomewhat extraordinary; but he found the King of England himſelf was not much better uſed." On the laſt day of March the King informed the Houſe by meſſage, "that the negotiation already ſeemed to be at an end, by the refuſal of the French Ambaſſador to give any other anſwer to the demands made in his name and that of the States General, than an offer to renew and confirm the Treaty of Ryſwic; and that the States had made a formal requiſition of the ſuccors due to them by treaty, viz. 10,000 troops and twenty ſhips of the line. And his Majeſty deſires the Commons will give him ſuch advice thereupon as may be for our own ſecurity, and that of the States General and the PEACE of EUROPE." In return the Commons adviſed to carry on the negotiations in concert with the States, and aſſured his Majeſty, "that they would enable him to fulfil the conditions of the exiſting Treaty."

At this period, and not before, the King of Spain

thought fit by a letter in his own hand to notify his acceſſion to the King of England—it being thus long delayed, doubtleſs, leſt a public affront ſhould be put upon him by a refuſal to receive it. But after the public recognition of his Catholic Majeſty by the States General, it was intimated to the Spaniſh Court, "that ſuch a notification would be acceptable;" and it was anſwered by a letter from the King of England (dated April 17, 1701) expreſſed in very gracious and highly complimentary terms.

The affair of the Partition was now reſumed with great violence by the Houſe of Commons; and the papers which related to the negotiations at Loo were ſcrutiniſed with all the keenneſs of wit ſharpened by malice. Of the debates which enſued it is needleſs to ſpeak; the ſubſtance of them has been abundantly anticipated. As the ultimate reſult of the whole, it was reſolved by the Houſe, "that the Earls of Portland and Orford, and the Lords Somers and Halifax, be IMPEACHED at the bar of the Houſe of Lords of HIGH CRIMES and MISDEMEANORS." The reſolution againſt the Earl of Portland was carried without a diviſion: againſt Lord Orford the numbers were 193 to 148; Lord Somers, 198 to 188; Lord Halifax, 186 to 163: thus with groſs partiality paſſing over the Earl of Jerſey, Secretary of State; and Sir Joſeph Williamſon, Reſident at the Hague—who were

privy

privy to the whole tranſaction, and involved in the ſame community of guilt.

Pending the debates, and previous to paſſing the Vote of Impeachment, Lord Somers deſired to be heard in his own defence—and a chair being placed for him within the bar, he firſt ſat down covered, according to the ceremonial uſed on ſuch occaſions; and afterwards riſing and remaining uncovered, he entered into ſo maſterly and eloquent a vindication of his conduct, that, had the queſtion been immediately put, it was believed he would have been acquitted by a great majority. He admitted "that the King had aſked the advice of his confidential ſervants upon this occaſion; and that his Majeſty had even informed him, that if he and his other Miniſters thought that a Treaty ought not to be made upon ſuch a project, then the whole matter muſt be let fall, for he could not bring the French to better terms. His Lordſhip pleaded, that it would have been taking too much upon himſelf if he ſhould have put a ſtop to a Treaty of ſuch conſequence—Had the King of Spain died before it was finiſhed, and the blame been caſt upon him for not ſending the neceſſary powers, he could not have juſtified himſelf, ſince the King's letter was a warrant. At the ſame time he wrote his own opinion very fully to his Majeſty, objecting to many particulars, and propoſing ſeveral things for the advantage and intereſt

of England. Soon after the powers were tranſmitted by him, the Treaty was concluded, to which he affixed the Great Seal, as he thought himſelf bound to do—Thus as a Privy-Counſellor he offered to the King his beſt advice, and as Chancellor he had diſcharged his acknowledged and official duty. The King's letter was not indeed a formal, though a real warrant—but he did not think it became him to endanger the Public by laying any ſtreſs on a point of form, at ſo critical a time, and when the greateſt diſpatch was requiſite."—After all, a certain degree of blame muſt attach itſelf to this great man for his conduct in this buſineſs; and the ultimate deciſion being left to him, he could not avoid contracting a heavy reſponſibility. Knowing or believing the Treaty to be fraught with ruinous conſequences, it was his duty at all hazards to reſiſt; and the commands of the King can never be conſtitutionally pleaded in vindication or even palliation of the ſlighteſt dereliction of duty.

Immediately conſequent to the Votes of Impeachment a motion was made, to which all the previous proceedings had reference, and for which alone they were probably inſtituted, "to preſent an Addreſs to his Majeſty to remove the Lords Somers, Orford, Portland, and Halifax, from his preſence and councils for ever." The queſtion being firſt put relative to Lord Somers, it was carried

ried in the affirmative by 162 to 107 voices: the reſt without a diviſion.

The Houſe of Lords, who too late ſaw their error, were now rouſed to ſome exertion, and voted in their turn an Addreſs to the King, praying, "that the Lords impeached at the bar of their Houſe may not have any cenſure paſſed upon them until they are tried upon the ſaid Impeachments, and judgment be given according to the uſage of Parliament and the law of the land." This Addreſs the King received in profound ſilence; not willing to ſay what might be diſpleaſing to the Lords on the one hand, or, which was much more anxiouſly to be guarded againſt, to do what might irritate the Commons on the other. And as the Great Council of the Nation, it ſeemed clearly within the province of the Repreſentatives of the People to pronounce upon the competency of the Lords impeached to be hereafter employed in the public ſervice, whether their offences came within the letter of the criminal code of Parliament or not. The Addreſs of the Commons was received by the King, who ſtill paid vain court to the Tories, with apparent complacency; and he aſſured them "he would employ none in his ſervice but ſuch as ſhall be thought moſt likely to improve mutual truſt and confidence, which was ſo neceſſary in the preſent juncture."

The Houſe of Commons, having now obtained

the real purpoſe for which the impeachments were brought forward, appeared in no haſte to proceed with the trials, but applied their attention to the providing ſupplies, which were granted with great liberality, and to the other neceſſary buſineſs of the ſeſſion.

The Houſe, in a Grand Committee, taking into conſideration the ſtate of the Civil Liſt, and the ſavings made by the non-payment of the 50,000l. per annum allotted as a dower to James's Queen; of 30,000l. per annum fallen in by the deceaſe of Catherine Queen Dowager, and of 20,000l. per annum by the death of the Duke of Gloceſter, came to a reſolution to apply 100,000l. per annum of the royal revenue to the current ſervice. On the report, this reſolution was combated by the whole ſtrength of the Whig party; but it was at length, to the great chagrin of the Court, carried by 214 to 169 voices.

In conſequence of the clauſe in the King's Speech recommending a farther proviſion for the ſucceſſion of the Crown in the Proteſtant line, the Houſe, to the confuſion of the Jacobites, with great unanimity reſolved: "1ſt, That it is abſolutely neceſſary a farther declaration and limitation be made of the ſucceſſion to the Crown. 2dly, That farther proviſion be firſt made for the ſecurity of the rights and liberties of the People—and LASTLY, That the Princeſs Sophia, Ducheſs Dowager of Hanover, be declared

declared the next in ſucceſſion to the Crown of England." A Bill was immediately introduced in conformity to theſe reſolutions; and a great variety of conſtitutional limitations and reſtrictions impoſed upon the future inheritors of the Crown: of which the chief were, "that no foreigner, although he be naturalized or made denizen, ſhall be capable of enjoying any office or truſt civil or military; or of holding any grant of lands from the Crown; that the Nation be not obliged to engage in any war for the defence of any dominions or territories not belonging to the Crown of England; that no perſon hereafter poſſeſſing the Crown of England ſhall go out of the realm without conſent of Parliament; that no perſon holding an office under the King, or receiving a penſion from the Crown, ſhall be capable of ſitting in the Houſe of Commons; that all future poſſeſſors of the Crown ſhall join in communion with the Church of England; that no pardon be pleadable in bar of an impeachment; and that the Judges' Commiſſions be made *quamdiu ſe bene geſſerint*." Theſe limitations do honor to the Tories, whoſe intereſt it was at this time to keep on fair terms with the Court, and who could not but be ſenſible that ſome of them muſt appear to reflect on the conduct of the reigning Sovereign.

Having gone ſo far—perhaps in ſome points farther than a pure patriotiſm would have dictated

—they ſtill ſtopped ſhort of the goal of political rectitude. For the intereſt of the Nation evidently required, that a foreign Prince inheriting the Crown of England ſhould at the moment of *his acceſſion* relinquiſh his foreign territories—or, if the ſacrifice were deemed too great, the Crown thus declined ought to devolve to the next in ſucceſſion. The famous Toland, in a political Treatiſe publiſhed at the commencement of this ſeſſion, contends for the reaſonableneſs of eſtabliſhing at this critical juncture whatever terms the intereſt of the Nation demanded. "Being," as he ſays, "to *elect* a ſucceſſor, the Nation might be allowed the ſame liberty which the Spaniards took in beſtowing their Crown; to chooſe out of the Houſe of Hanover, or that of Brandenburg, which of the ſons they pleaſed—and recommends it to be well weighed, whether we ought to make any of thoſe Princes Kings of England, without obliging them at the ſame time to renounce their foreign dominions."—"For," ſays he, "if our Crown ſhould fall upon either of thoſe families, they will fall under mighty temptations to enlarge their dominions beyond ſea, in order to make the communication betwixt their old and new dominions more ſpeedy and eaſy. This the family of Hanover may attempt, by falling down upon the Elbe and Weſer, and ſwallowing up Hamburg, BREMEN, VERDEN, &c.—All theſe things, how remote and chimerical

merical ſoever they may ſeem at preſent, ought to be conſidered.—If the Prince upon whom we devolve our Crown does not think it worth his while to grant us ſuch ſecurity, I am of opinion that it will not be worth our while to court ſuch a Governor."

The Act of Settlement, with its attendant limitations, paſſed with national applauſe. It had nevertheleſs to encounter an oppoſition of a ſingular nature, originating in a very remote quarter. ANNE of ORLEANS, Ducheſs of Savoy, of the blood-royal of England by Henrietta her mother, youngeſt daughter of Charles I. was beyond all queſtion, according to the law of hereditary ſucceſſion, heireſs of the Crown of England, on the excluſion of James and his immediate deſcendants. The Ambaſſador of Savoy, by order of this Princeſs, delivered a paper to the Speaker of the Houſe of Commons, in which ſhe declares, "that ſhe gladly embraces the occaſion which offers, to diſplay to the People of England the pride ſhe takes in the right ſhe derives from her deſcent to that auguſt throne."——After ſtating her *inconteſtable pretenſions*, ſhe concludes with proteſting againſt every deliberation and deciſion which ſhall be contrary thereto. The conduct of the Duke of Savoy had been ſuch, that the chagrin diſcovered on this occaſion by the Court of Turin excited rather pleaſure than ſympathy—and the PROTEST itſelf

was

was deemed too inſignificant for notice. The Earl of Macclesfield was deputed by the King to carry the joyful intelligence, with the inſignia of the Order of the Garter for the Elector, to the Court of Herenhauſen; where he was received with the higheſt marks of diſtinction, and rewarded with very rich and ſplendid preſents.

Several weeks having elapſed without any progreſs made in the buſineſs of the impeachment; the Lords thought proper by meſſage to remind the Commons, that articles had not yet been exhibited againſt the Peers impeached. This was by no means a welcome hint—but they replied, that articles were preparing; and in a ſhort time they were actually preſented at the bar of the Lords. The accuſed Peers in a very few days made their anſwer. On the 21ſt of May (1701) another meſſage came from the Lords, preſſing the Commons to give in their replication, and proceed to trial; and repreſenting the hardſhips of delay to the perſons accuſed. The Commons took fire at this, and informed their Lordſhips "that they had prepared a replication to Lord Orford, but choſe to defer the carrying it up, becauſe, from the nature of the evidence, they choſe to proceed with the trial of Lord Somers firſt—affirming in a high tone their right, as proſecutors, to be the proper judges of the time of conducting their own proſecution." The ſame day the replication to Lord Somers was reported,

reported, and ordered to be engroſſed. And in the interim the Lords apprized them by meſſage, "that they had appointed the 9th of June (1701) for the trial of Lord Orford; aſſerting, that the right of limiting a time for avoiding delays in juſtice was lodged in them." A very warm altercation and repeated conferences on various points of order enſued, till the Commons were provoked to complain, "that they had been obliged to ſpend that time in anſwering their Lordſhips' meſſages, which would have been otherwiſe employed in preparing for the trials, ſo that the delay muſt be charged to thoſe who gave occaſion for it."

At the laſt of the conferences, Lord Haverſham having intimated his opinion that the Commons were chargeable with groſs partiality in the buſineſs of the impeachments, and that the plea of juſtice was only a maſk to cover their real deſign, the Managers on the part of the Commons inſiſted on breaking up the conference; and the Houſe, on their report, paſſed a vote, "that John Lord Haverſham had uttered moſt ſcandalous reproaches and falſe expreſſions, highly reflecting on the honor and juſtice of the Houſe of Commons:" and on being invited by the Lords to renew the conference, they returned for anſwer, "that this was not conſiſtent with their honor, till they had received reparation for the indignity offered by Lord Haverſham." Notice being ſent from the Lords,

that

that the trial of Lord Somers, now, according to the deſire of the Commons, firſt in the order of precedence, was fixed for the 17th of June; the Commons abſolutely refuſed to attend, aſſigning as their reaſons: 1ſt, The unprecedented refuſal of their Lordſhips to conſent to the appointment of a Committee of both Houſes for the ſettling the neceſſary preliminaries. 2dly, The want of a ſatisfactory aſſurance, that Lords impeached of the ſame crimes ſhall not ſit in judgment upon each other. 3dly, Becauſe they have received no reparation for the great indignity offered to them at the laſt conference by Lord Haverſham. And a reſolution paſſed the Houſe, that no Member do preſume to appear at the place erected for the *pretended trial* of Lord Somers. No accuſers, therefore, ſtanding forward to ſupport the charge, it was moved, and carried on a diviſion of 56 to 31 voices, that John Lord Somers be acquitted of the articles exhibited againſt him, and that the impeachment be diſmiſſed. The Lords Portland, Orford and Haliſax were in like manner acquitted and diſcharged. And recollecting the impeachment exhibited againſt the Duke of Leeds in the year 1695, and which had lain ſo many years dormant, they thought it reaſonable to extend the indulgence of the Houſe to him; and his Grace was by a verdict of acquittal exonerated from the burden, though not from the reproach,

of

of the impeachment. The Commons retorted upon the Upper Houſe, by paſſing reſolutions importing "that the Lords had refuſed juſtice upon the impeachment of John Lord Somers, and that, by the pretended trial of the ſaid Lord Somers, they have endeavored to ſubvert the right of impeachment."

In the midſt of the diſpute, or rather quarrel, of the two Houſes, an extraordinary petition was preſented from the Juſtices of the Peace, Grand Jurors and Freeholders aſſembled at the General Quarter Seſſion of the County of Kent, urging the Houſe, in language daring and arrogant, to come to ſpeedy and deciſive reſolutions in ſupport of the meaſures recommended from the Throne. "We moſt humbly implore this Honorable Houſe," ſay the petitioners, in concluſion, "to have regard to the voice of the People, that our religion and ſafety may be effectually provided for—that your loyal Addreſſes may be turned into Bills of Supply, and that his Moſt Sacred Majeſty, whoſe propitious and *unblemiſhed* reign over us we pray GOD long to continue, may be enabled powerfully to aſſiſt his allies before it is too late." The Houſe, exaſperated at the boldneſs of this petition, or rather remonſtrance, voted it to be "ſcandalous, inſolent and ſeditious." The perſons, five in number, who were delegated to deliver the petition into the hands of Sir Thomas Hales, Member

ber for the County of Kent, in order to its being preſented to the Houſe, being called to the bar, owned it to be their petition, and that they had ſet their names to it; and ſhewing no diſpoſition to apologiſe for the ſame, they were committed priſoners to the Gatehouſe; where they lay to the end of the ſeſſion, viſited by great numbers of perſons, and loudly applauded by the Whig party, who were now rapidly recovering their popularity and aſcendancy, as meritoriouſly ſuffering for their public ſpirit and patriotiſm the moſt odious and barbarous oppreſſion.

The current began to ſet ſtrongly for a war with France; and the Commons made themſelves many enemies, and incurred much reproach for their indiſcreet and paſſionate conduct in this trivial buſineſs—and yet more ſerious cenſure for their groſs and diſgraceful partiality in the higher and weightier affair of the impeachments.

In the courſe of the ſeſſion a pathetic Letter from the States General to the King was laid before Parliament, in which they deſcribe the extreme danger and difficulty of their ſituation, and the abſolute need in which they ſtood of immediate and effectual aſſiſtance. They ſay, "that France is erecting forts under the cannon of their ſtrong places, and drawing lines along their frontiers—that by their intrigues they have drawn away the Princes who were their friends, from their intereſts

—and

—and that they are surrounded on all sides except that of the sea—that the winter, which had been hitherto their security, was now over, and they were on the brink of being invaded and overturned every moment—and, in fine, that their condition was worse than if they were actually at war. They remonstrate on the fatal consequences of being left in this exposed condition, and express their confidence in his Majesty's consummate wisdom, and the good intentions of the English Parliament, to rescue them from that ruin with which they are threatened; and which the interests of his Majesty's Kingdoms, inseparable from those of the Republic, are so deeply concerned to prevent." The Commons, with a warmth of expression not to be found in their former Addresses, assured his Majesty, "that they would effectually assist him to support his Allies in maintaining the LIBERTY OF EUROPE." And the King in reply declared, "that it would be a particular satisfaction to him, in his time to revive the glory which the English Nation had formerly acquired of maintaining the liberty and balance of Europe." Still the disposition of the House of Commons was apparent, to engage in the war as auxiliaries only, and not as principals. The Lords indeed presented an Address of a very different complexion, requesting his Majesty "not only to make good all the articles of any former Treaty to the States General, but

that he will enter into a ſtrict league, offenſive and defenſive, with them, for our common preſervation." But on this topic the ſentiments of the Houſe of Peers were of very inferior importance.

Towards the concluſion of the ſeſſion, however, the Commons, ſenſible of the reputation they had loſt, and anxious to recover their credit with the Nation, which was extremely diſpleaſed with their cold and dilatory proceedings, preſented an Addreſs, aſſuring his Majeſty, "that the Houſe would aſſiſt him in ſupporting thoſe alliances his Majeſty ſhould think fit to make, in conjunction with the Emperor and the States General, for the preſervation of the liberties of Europe, the proſperity and peace of England, and for reducing the exorbitant power of France." This extraordinary and intereſting Seſſion of Parliament was at length terminated on the 24th of June, 1701, by a gracious ſpeech from the throne, in which the King expreſſed his hope, that what meaſures he might adopt during the receſs, for the advancement of the common cauſe, would meet with the approbation of Parliament at their meeting again in the winter.

Upon the King's putting the Government into the hands of the Tories, the new Miniſtry made it one of their demands, that a Convocation ſhould be permitted to ſit, which was accordingly ſummoned February 10th, 1701. Like almoſt all other

clerical ſynods, their proceedings and debates were characteriſed by inexpreſſible malignity and folly: but being happily diveſted of every degree of civil power, they knit their darkened brows and gnaſhed their teeth in vain. They began by aſſerting in a lofty tone their right to ſit whenever the Parliament ſat, as being an eſſential branch of that body, and denying that they could lawfully be prorogued except when Parliament was prorogued. They diſputed the authority of the Archbiſhop to adjourn or determine the ſeſſion.—They returned their ſolemn thanks to Atterbury, Archdeacon of Totneſs, for his learned Treatiſe on the Rights of Convocations.—They paſſed heavy cenſures on a certain book called "Chriſtianity not myſterious," written by Mr. Toland; and likewiſe on a recent publication of the Biſhop of Sarum, ſtyled "An Expoſition of the Thirty-nine Articles of the Church of England." And they engaged in hot and eager diſputes with the Biſhops reſpecting various points of privilege; inſomuch that the Right Reverend Fathers were compelled to complain, "that they had riſen to higher degrees of diſreſpect and invaſion of the metropolitan and epiſcopal rights, than ever was attempted by any Lower Houſe of Convocation before: and that they had thereby given the greateſt blow to the Church that had been given to it ſince the Preſbyterian Aſſembly that ſat at Weſtminſter in the

late times of confuſion." The Convocation was at length prorogued by the Archbiſhop, at the termination of the Seſſion of Parliament, in the midſt of theſe contentions at once ſo fierce and frivolous.

The King left Hampton-Court on the laſt day of June, attended by the Lords Romney, Albemarle, &c. and on the 3d July arrived in Holland. The next day he took his ſeat in the Aſſembly of the States General, where he was received with the moſt cordial congratulations as the protector, friend, and father of his country. The command of the troops deſtined for the relief of Holland was, by an happy choice, confided to the Earl of Marlborough, at the ſame time appointed Plenipotentiary to the States; and whom the King well knew to be equally qualified for the council or the field: "uniting," as he declared with generous applauſe, "the cooleſt head with the warmeſt heart."

On the departure of the King to viſit the frontier garriſons, M. D'Avaux delivered to the States General a letter from his Moſt Chriſtian Majeſty, notifying the recall of his Ambaſſador. This was accompanied by a Memorial from the Ambaſſador, ſtating in very eloquent and forcible terms the regret rather than the reſentment felt by the King his maſter at the extraordinary ſyſtem of policy adopted by their High Mightineſſes. He ſaid, "that his Moſt Chriſtian Majeſty earneſtly wiſhed

to diſſipate the vain terrors excited by the acceſſion of his grandſon to the Throne of Spain—That the conference had been opened to treat of the intereſts of Holland ſolely; and, if the States had ſo pleaſed, had ſoon terminated to the ſecurity of the Provinces, the advantage of their commerce, and with an aſſurance of perpetual amity from the Moſt Chriſtian King.—The Ambaſſador expreſſed the aſtoniſhment of his maſter, that the States ſhould confound the intereſts of the Emperor with thoſe of the Republic, and erect themſelves into arbiters between the Houſes of France and Auſtria—and that they ſhould even reſolve, in favor of the latter, to break thoſe treaties which the Republic had hitherto regarded as the confirmation, or rather the ſeal, of her ſovereignty." Notwithſtanding the earneſt deſire expreſſed by the States, on the preſentation of this Memorial, to reſume the conferences, the Ambaſſador, in conſequence of poſitive orders from his Court, left the Hague, Auguſt 13 (1701), after paying the cuſtomary compliments to the States General, but without noticing the King of England or any of his Court.

Matters were now conſidered on both ſides as having come to a criſis; and on the 7th September a new Treaty of Alliance was ſigned between the Emperor and the Maritime Powers, to which all Kings, Princes, and States, were invited to accede, for procuring ſatisfaction to the Houſe of Auſtria

in reſpect to the Spaniſh ſucceſſion, and ſufficient ſecurity for the preſervation of the balance of power in Europe; for which purpoſe the confederates ſhall jointly, and with their whole force, oppoſe and prevent the union of France and Spain under the ſame Government;—for the King of England had too much wiſdom to make the recovery, i. e. the conqueſt, of Spain the object of the war.

Even previous to the concluſion of this Treaty hoſtilities had actually commenced on the part of the Emperor with a ſpirit and ſucceſs wholly unexpected. A numerous army had been aſſembled early in the ſummer by the Court of Vienna on the Italian frontier, the command of which was conferred upon Prince Eugene of Savoy, ſo celebrated ſince the victory of Zenta. This General, entering Italy by the route of Vicenza, made a feint of paſſing the Po near Ferrara; and while the enemy were thus amuſed, he croſſed the Adige (July 1701), and attacked and totally defeated a large body of troops poſted at Carpi. The French and Piedmonteſe army, commanded by M. de Catinat and the Duke of Savoy in perſon, retiring beyond the Mincio, the Imperial General paſſed that river alſo in purſuit of them: and M. de Catinat, making diſpoſitions to cover the Milaneſe, was aſtoniſhed to find that the Imperialiſts had, by a rapid movement on the oppoſite ſide, ſud-

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denſy over-run the Mantuan, reduced the fortreſs of Caſtiglione, and laid the country under contribution.

The Court of Verſailles, not comprehending the cauſe of theſe diſaſters, diſpatched M. Villeroi with a commiſſion to ſuperſede M. de Catinat. The diſmiſſion of this able commander was attended with the conſequences that might be expected. M. de Villeroi, with all the raſhneſs incident to vanity and ignorance, attacked (Auguſt 29) the Imperial General, encamped in a ſtrong poſition at Chiari on the Oglio; but his preſumption was puniſhed by the loſs of 5000 men: and the French army, being farther reduced by ſickneſs and diſpirited by defeat, retired early into their deſtined quarters. But Prince Eugene kept his troops in almoſt conſtant motion during the whole of the winter, and was ſo ſucceſsful in all his enterpriſes as to keep the French in perpetual alarm. Marechal de Villeroi having fixed his head quarters at Cremona, which commands a bridge over the Po; the Prince formed, in the month of January 1702, a deſign to ſurpriſe the town. He conducted in perſon a ſtrong detachment of troops from the Oglio, and ordered another corps from the Parmeſan to force at the ſame time the paſſage of the bridge. Marching in profound ſilence and ſecrecy through the ruins of an old aqueduct, he gained poſſeſſion of one of the gates of the city. M. de

Villeroi, being awakened with the noiſe, ruſhed, unarmed and unattended, into the midſt of the tumult, and was inſtantly made a priſoner. But the party who were to attack the bridge not coming up at the time appointed, the Prince was ultimately compelled to abandon his enterpriſe—and retired in ſafety with the Marechal and the other priſoners whom he had taken. By this daring exploit, though not crowned with perfect ſucceſs, he was covered with glory. Such was his activity and ſpirit of adventure, that the French knew not when or where to think themſelves in ſecurity. He went on enlarging his quarters, ſtrengthening his poſts, and kept the city of Mantua cloſely blockaded; till at length the Court of Verſailles, ſeeing the whole Spaniſh empire in Italy endangered, reſolved to ſend large reinforcements into that country, under the conduct of a General worthy to be the antagoniſt of Prince Eugene—the Marechal Duc de Vendome.

An event, trivial in itſelf, but attended with important conſequences in the preſent criſis, took place in the autumn of this year, in the death of the abdicated Monarch King James, who departed this life at St. Germaine's, September 16th, 1701, in the 68th year of his age. Sunk into the moſt abject and ſenſeleſs extremes of bigotry and ſuperſtition, he ſeemed entirely to have relinquiſhed the hope, and almoſt the wiſh, to recover his former greatneſs.

greatneſs. He had been actually admitted into the ſociety of the Jeſuits; and had rarely failed, during the latter period of his life, making a viſit annually to the Abbey of La Trappe—practiſing there the ſame auſterities which are enjoined upon the monks themſelves by the rules of that rigid order. He kept very ſevere faſts; and would, upon certain days, bind his body with a very ſharp-pointed iron chain. He aſſiſted at the choir hours, except at night. He ate nothing but eggs, raiſins, and pulſe; and ſpent his time in long meditations and ſpiritual conferences with the Abbot, and his Confeſſor, whom he took conſtantly there with him. In the uſual courſe of things, he heard ordinarily at St. Germaine's, as his Secretary Nairne *atteſts*, two maſſes every day, and on all the great feſtivals three maſſes and veſpers, &c. During Lent he had ſermons in his chapel thrice a week; and he, with his Queen, went every year on foot to the proceſſion of the Holy Sacrament over the town of St. Germaine's. On the day and octave of Corpus Chriſti they heard high maſs at the pariſh church, and on every evening during the octave, and on Sundays and great holidays throughout the year, they were preſent at the exaltation of the Hoſt. Such are the follies which uſurp the venerable name of religion!

In the beginning of the year his health viſibly declined; and he had in April drank the mineral waters

waters of Bourbon without finding benefit. During his laſt illneſs the King of France came to viſit him at St. Germaine's, and ſeemed much touched with his condition. The dying Monarch, raiſing himſelf in his bed, expreſſed in faint accents his gratitude to his Moſt Chriſtian Majeſty for the numerous inſtances of friendſhip and generoſity he had received from him. On which the King of France told him, he did not yet know the extent of the kindneſs he intended for him and his family: for that, in the event of his deceaſe, he would acknowledge the Prince his ſon as King of Great Britain. On hearing this, James appeared overwhelmed with ſurpriſe and joy, and ſaid "he had nothing farther to aſk or wiſh. He exhorted his ſon to perſevere in the faith, as a point of infinitely more conſequence to him than the acquiſition of a crown. He ſaid, that by his practice he recommended chriſtian forgiveneſs to him; for he heartily forgave all his enemies, not even excepting the Princeſs of Denmark, the Prince of Orange, and the Emperor."

Immediately upon his death the pretended Prince was proclaimed King of England, &c. by the ſtyle and title of King James III. and was recognized in that capacity by the King and Court of France, who paid their compliments of condolence and congratulation at the Court of St. Germaine's in

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the ſame manner and form as if the title of this mock ſovereign had been the moſt valid and unqueſtionable.

Startled, nevertheleſs, at the conſequences of the raſh ſtep they had taken, M. de Torcy, in a conference held ſoon after with the Earl of Mancheſter, endeavored to apologize for this meaſure, which he profeſſed had given him concern, as "merely complimentary; and expreſſed his hope that the preſent negotiation would terminate in a peace, which would ſet all right." The Ambaſſador, in his diſpatches to Mr. Vernon, ſays, "he *knows* that the King of France ordered M. de Torcy to ſoften this matter as much as he could" —but he acknowledges "there is no reliance upon their ſincerity after what had paſſed. I fear," ſays he, "there never will be any treating with this Court, without great vigor and reſolution, and with ſword in hand."

This opinion entirely coincided with the ſentiments of the King of England, who, on receiving intelligence of the death of James, and the conſequent recognition of his ſon, ſent an expreſs to the Earl of Mancheſter to return to England without taking his audience of leave. Of this the Ambaſſador immediately appriſed M. de Torcy, ſtating, "that the King his maſter, being informed that his Moſt Chriſtian Majeſty has owned another King of Great Britain, does not believe that his ho-

nor and his intereſt permit him longer to keep an ambaſſador in France—he has therefore orders to retire." The French Court diſcovered ſome ſymptoms of ſurpriſe at this notification, and on the ſame day an anſwer was returned by M. de Torcy, in cold and diſtant terms, purporting the ſincere deſire his Moſt Chriſtian Majeſty always entertained to preſerve the peace confirmed by the Treaty of Ryſwick.

But in a ſubſequent memorial, diſperſed in all the Courts of Europe, the King of France takes much pains to vindicate his conduct from the imputation of violating his ſubſiſting engagements with the King of England. He declares "that he never ſtipulated to refuſe the title of King to the Prince, on the demiſe of his father—that his birth entitled him to it—and that he would not obtain any other aſſiſtances from France, than what the late King James received ſince the Treaty of Ryſwick, which were merely for his ſubſiſtence and the alleviation of his misfortunes.—The generoſity of his Moſt Chriſtian Majeſty would not allow him to abandon either that Prince or his family—and it is remarked in this memorial to be no new thing to give to children the titles of Kingdoms which the Kings their fathers have loſt, without any breach of amity—Of this, hiſtory furniſhes many examples—and in particular the Kings of Poland, of the Houſe of Vaſa, having loſt the kingdom of Sweden,

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were treated by France as Kings of Sweden till the peace of Oliva, though at the same time France was in ſtrict alliance with King Guſtavus and Queen Chriſtina." But in the exiſting circumſtances this labored apology produced little or no effect; and the conduct of the Court of Verſailles was univerſally regarded as openly and decidedly hoſtile to Great Britain.

During the whole of the ſummer the King of England had been deeply engaged in the numerous complicated negotiations indiſpenſable at the eve of a general war; and it ſtill remained doubtful what part the majority of the ſecondary Powers of Europe would take in the conteſt, when William embarked for England, where he arrived early in November (1701). His ſtate of health, at no time very firm, for the laſt year haraſſed and wearied with inceſſant anxiety, was remarked to be not a little impaired; and his return to England was retarded by an illneſs of a ſerious nature, from which he had partially and ſlowly recovered. Though ſenſible of the ſhock his conſtitution had ſuſtained, his activity and energy of mind ſeemed in no wiſe diminiſhed. And knowing how much depended upon himſelf, and the extent of the confidence repoſed in him, he was ſolicitous to conceal, as far as poſſible, his exhauſted condition from the public view, till the grand projects now in contemplation were advanced to a ſtate of maturity.

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But he told the Earl of Portland, that he ſhould not live to ſee another ſummer.

The King found on his return to England the whole Nation in a vehement ferment. The recognition of the pretended Prince of Wales by the French Monarch, while the Treaty of Ryſwick was yet in force, had excited the moſt paſſionate reſentment of all ranks and orders of people. The perfect unanimity of the public feelings and ſentiments in this country upon certain occaſions forms a diſtinguiſhing *trait* of the Engliſh character; and in no inſtance did it ever appear more ſtrongly than the preſent. The conduct of the King of France was conſidered as exhibiting a combination of perfidy and preſumption. Such an acknowledgment of the title of the abdicated Houſe ſeemed little leſs than a declaration of perpetual war; for there was no proſpect of the extinction of the exiled family, and conſequently no room to ſuppoſe that France would ever admit England to be governed by a rightful and lawful King. Addreſſes were preſented from all parts, expreſſing, in the warmeſt and moſt affectionate terms, a reſolute determination to ſupport his Majeſty in the defence of his juſt rights, in oppoſition to all invaders of his crown and dignity.

It was the higheſt gratification that the King could receive, to find ſuch a ſpirit prevailing in the Nation, which was however very ill ſeconded by

those who occupied the great offices of Government. He had never been upon cordial terms with his present Ministers. The Earl of Rochester, who was accounted the chief, had proved wholly intractable and imperious. Instead of moderating the violence of his party, he was assiduous to inflame them. And the King repeatedly declared, that the year in which that Nobleman directed his councils was the most uneasy of his life. The Earl had now repaired to his Government of Ireland, where he shewed himself capable of acting with temper and prudence.

So long since as the month of September, the King had written to Lord Sunderland from Loo, earnestly requesting his advice in the then situation of affairs*. He expressed himself as yet undetermined what measures to take, or whether to call a new Parliament—fearing, that if he should quit those he now employs, and that the others should not be able to serve him, he should be left without resource. The Tories, he says, make him great promises, and advise an Act of Grace as a means of reconciling matters. Lord Sunderland's reply is very remarkable—sufficiently indicating by what imperious powers of persuasion he had acquired so absolute an ascendency over the minds of all with whom he was connected. He exhorts the King in the most decisive terms to discard his Tory Ministers,

* Hardwicke State Papers.

miſters, who he affirms "grow more hated every day, and more expoſed. He ridicules the argument, or apprehenſion, that in caſe the change fails of ſucceſs he ſhall be left without reſource. This he tells the King is only to ſay, Continue in the hands of your enemies—for, if they do not ſave you, you may return to your friends, who will. At the worſt and in the laſt reſort, he can but throw himſelf into the hands of the Tories, and give up the whole power to them. He expreſſes his ſurpriſe, that, after thirteen years' experience, the King will not judge of things aright; and that he ſhould ſuffer himſelf to be wheedled by a party, of which in his whole reign he could never yet gain any one man. He adviſes the King to conſult with Lord Somers, who is the life, the ſoul, and the ſpirit of his party—who can ANSWER for it—unlike the preſent Miniſters, who have no credit with theirs, any farther than they can perſuade the King to conſent to his own undoing."

From the influence and operation of the ſucceeding events, matters were now mature for a complete change: as the firſt ſtep to which a diſſolution of Parliament was determined upon. A proclamation for that purpoſe was iſſued on the 11th of November, and a new Parliament ſummoned to meet on the 30th of December 1701—previous to which great alterations took place in the Adminiſtration. Lord Godolphin was ſuper-

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ſeded by the Earl of Carliſle. The Earl of Manchester was made Secretary of State, in the room of Sir Charles Hedges; the Earl of Pembroke conſtituted Lord High Admiral, the Duke of Somerſet appointed Preſident of the Council, and the Earl of Rocheſter recalled from his Government of Ireland. The King preſſing, as it is ſaid, the Great Seal on the acceptance of Lord Somers, and that Nobleman heſitating in the apprehenſion of a new relapſe in favor of the Tories; the King exclaimed with paſſionate emphaſis, "Never, never, never!"

The Parliament met on the day prefixed; and the firſt trial of ſtrength between the two parties was on the choice of a Speaker, which was carried in favor of Mr. Harley, in oppoſition to Sir Thomas Lyttleton, by a majority of four voices only *. The King's Speech was moſt happily adapted to the temper and feelings of the Nation. It recommended, in very animated and energetic language, unanimity in the proſecution of the moſt vigorous and deciſive meaſures; and it was received with enthuſiaſtic and unbounded applauſe. "I promiſe myſelf," ſaid the Monarch, "that you are met together full of that juſt ſenſe of the common danger of Europe, and that reſentment of the late proceedings of the French King, which has been ſo fully and univerſally expreſſed in the loyal and ſeaſonable Addreſſes of my People. The

* The numbers were 216 to 212.

eyes of all Europe are upon this Parliament, all matters are at a ſtand till your reſolutions are known. Let me conjure you to diſappoint the only hopes of our enemies by your unanimity. I have ſhewn, and will always ſhew, how deſirous I am to be the common father of all my people. Do you in like manner lay aſide parties and diviſions. Let there be no other diſtinction heard of among us for the future, but of thoſe who are for the Proteſtant religion and the preſent Eſtabliſhment, and of thoſe who mean a Popiſh Prince and a French Government. If you do in good earneſt deſire to ſee England hold the balance of Europe, and to be indeed at the head of the Proteſtant Intereſt, it will appear by your right improving the preſent opportunity."

The King, the Parliament and the Nation ſeemed now animated by the ſame ſpirit; and at no period of his reign had WILLIAM attained to ſo great an height of popularity as at the preſent criſis. At no time had he reached to ſuch a ſuperiority of elevation in the view of the ſurrounding nations. The Addreſſes of both Houſes were in the higheſt ſtrain of Whiggiſm; for the Tories in the Lower Houſe no longer attempted to ſtem the torrent, which ran with irreſiſtible violence in favor of a Gallic war. The Houſe of Commons even paſſed a unanimous reſolve, that no peace ſhould be made with France, until reparation be made for the late

indignity

indignity offered by the French King. And 90,000 men were voted for the ſea and land ſervice.

Early in January 1702, a Bill of Attainder of the pretended Prince of Wales, now ſtyling himſelf King of Great Britain, was introduced into the Houſe of Commons, and paſſed with perfect unanimity. But the Lords in their great zeal including the Queen-Regent in the attaint, the Commons refuſed to concur, alleging, in a conference held with their Lordſhips, "that it may be of dangerous conſequence to attaint perſons by an amendment only, in which caſe ſuch due conſideration cannot be had as the nature of an Attainder does require."

Another Bill followed after a ſhort interval, for the farther ſecurity of his Majeſty's perſon, and the ſucceſſion of the Crown in the Proteſtant line —containing an abjuration of the pretended Prince of Wales, and an oath to the King as *rightful and lawful* Sovereign. A queſtion ariſing whether the oath ſhould be compulſive or voluntary; it was thought of ſufficient conſequence to be the ſubject of a ſerious and vehement debate. And the Houſe was on a diviſion ſo equally balanced, that there appeared a majority of one voice only for making the oath obligatory, the numbers being 188 to 187 voices; and this remarkable diviſion probably gave riſe to the popular notion, that the Crown was ſettled on the Houſe of Hanover by a ſingle vote.

With reſpect to the great queſtion of the Iriſh forfeitures, the Houſe did not appear inclined to recede from the ſyſtem of their predeceſſors; and the petitions preſented to the King againſt the Act of Reſumption by the City of Dublin and divers Counties of Ireland, and laid by his command before the Houſe, were voted to contain ſcandalous reflections, highly reflecting upon his Majeſty's honor and both Houſes of Parliament.

The ſubject of the Impeachments voted in the courſe of the laſt ſeſſion was revived with great warmth, but with little expectation, or perhaps deſire, of ſucceſs on the part of the Tories, who knew the odium attached to thoſe unpopular proſecutions. And a reſolution ultimately paſſed, "that it is the undoubted right of every ſubject of England under any accuſation, either by IMPEACHMENT or otherwiſe, to be brought to a ſpeedy trial, in order to be acquitted or condemned." This was regarded as a virtual juſtification of the conduct of the Houſe of Lords, and equivalent to an avowal that their Lordſhips had not denied juſtice in the matter of the Impeachments: and thus ſerenely did this extraordinary and alarming buſineſs terminate.

During the whole of the preſent winter, it had been aſſiduouſly reported by thoſe who were near the perſon of the King, that he was in a fair way

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of obtaining a complete re-eſtabliſhment of his health; but this was, notwithſtanding, a ſubject of great doubt with many; and it was ſtrongly believed that much pains were taken to conceal the real truth, as the knowledge of it might materially impede the ſucceſs of the negotiation now depending—it being manifeſt that the King's great endeavor, from the moment that he apprehended his danger, was to provide ſuch collateral ſecurities for the great projects he had formed, as might prevent their coming to an end with him. On Saturday, February the 21ſt, he rode as uſual from Kenſington to Hampton-Court; and paſſing through the Park, his horſe, ſuddenly plunging, fell on very level ground; and the King's collar-bone was fractured with the violence of the ſhock. He was immediately carried to Hampton-Court, where the fracture was reduced by Ronjat his Firſt Surgeon: and he thought himſelf in the evening well enough to be removed to Kenſington. No dangerous ſymptoms appeared for ſome days, and his active and ardent mind was ſtill employed on the great objects he had in view.

On the 28th of February he ſent a Royal Meſſage to both Houſes, recommending, in terms the moſt earneſt and energetic, the appointment of Commiſſioners to treat with thoſe already authoriſed by the Parliament of Scotland, reſpecting an UNION of the two Kingdoms, "than which the

King declared he was ſatisfied that nothing could more contribute to the preſent and future ſecurity and happineſs of England and Scotland, and to which he now hoped there would be found a general diſpoſition." To this ſtep he was probably encouraged by the recent declaration of the Earl of Nottingham, who, when the Abjuration Bill was before the Houſe of Lords, took occaſion to ſay, "that though he had differed from the majority of the Houſe in many particulars relating to it, yet he was ſuch a friend to the deſign of the Act, that, in order to the ſecuring a Proteſtant ſucceſſion, he thought an union of the whole Iſland very neceſſary, and would heartily join in any proper meaſures to effect it." On the Monday, a Commiſſion was iſſued to give the royal aſſent to ſuch Bills as were ready; amongſt which was the Bill for Attainting the pretended Prince of Wales.

Flattering hopes were ſtill entertained or profeſſed of a ſpeedy and perfect recovery; but on Wedneſday, March the 3d, the King was ſeized with a ſhivering fit, which, as uſual, was followed by a fever; and theſe fits returning every day with increaſing violence, on the ſixth his caſe was eſteemed very dangerous. And the Lords having expedited the Abjuration Bill, a ſecond Commiſſion was iſſued to give the royal aſſent to this favorite meaſure of national ſecurity. But the King being no longer able to make perfect uſe of his



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hand, a ſtamp was provided to ſupply the defect. On the ſame day the Earl of Albemarle arrived from Holland, and, being immediately admitted to the King's preſence, gave ſuch an account of the poſture of affairs on the Continent as muſt have afforded him the higheſt ſatisfaction had he been capable of attending to any temporal concerns. But he received the intelligence without any viſible emotion; and ſoon afterwards ſaid, "Je tire vers ma fin."

He was attended during the latter period of his illneſs by the Archbiſhop of Canterbury and the Biſhop of Sarum. His reaſon and all his ſenſes were entire to the laſt minute. Early on Sunday morning he deſired the Sacrament; after which, ſeveral of the Lords of the Council and other Nobles attending were called in, to whom the King labored to ſpeak with cheerfulneſs. When Lord Auverquerque appeared, he raiſed his voice, and thanked him for his long and faithful ſervices. He took an affectionate leave of the Duke of Ormond and others, and delivered to the Earl of Albemarle the keys of his eſcritoire. Breathing with great difficulty, he aſked his Firſt Phyſician, Dr. Bidloo, "how long this could laſt;" to which he anſwered, "Perhaps an hour." But the King, offering his pulſe, ſaid, "I do not die yet!" After a little interval, he enquired for the Earl of Portland; but before he came, his voice totally failed,

though his lips were ſeen to move; and taking him by the hand, he carried it to his heart with much tenderneſs. Throughout his illneſs no ſymptoms of weakneſs appeared which might ſully the tenor of his former life. His firm and ſteady mind raiſed him far above the ignoble terrors of thoſe "who vainly fear inevitable things." The conflict between life and death continued till morning, when the commendatory prayer was ſaid for him; and, as it ended, the King, who had been ſupported all night in his bed, expired in the arms of one of his pages, March 8th, 1702, after a reign of thirteen years and a month, and in the fifty-ſecond year of his age. On his left arm was found a ribband, to which was faſtened a ring enclosing a lock of the late Queen Mary's hair—a proof of the tender regard he entertained for her memory.

Thus lived and died WILLIAM III. King of Great Britain and Stadtholder of Holland; a Monarch on whoſe great actions and illuſtrious character Hiſtory delights to dwell. In his perſon he was not above the middle ſize, pale, thin, and valetudinary. He had a Roman noſe, bright and eagle eyes, a large front, and a countenance compoſed to gravity and authority. All his ſenſes were critical and exquiſite. His words came from him with caution and deliberation; and his manners, excepting to his intimate friends,

were

were cold and reſerved. He ſpoke Dutch, French, Engliſh, and German, equally well; and he underſtood Latin, Spaniſh and Italian. His memory was exact and tenacious, and he was a profound obſerver of men and things. He perfectly underſtood and poſſeſſed a moſt extenſive influence over the political concerns and intereſts of Europe. Though far above vanity or flattery, he was pertinacious in his opinions; and, from a clear perception or perſuaſion of their rectitude, was too impatient of cenſure or controul. He attained not to the praiſe of habitual generoſity, from his frequent and apparently capricious deviations into the extremes of profuſion and parſimony. His love of ſecrecy was perhaps too nearly allied to diſſimulation and ſuſpicion; and his fidelity in friendſhip to partiality and prejudice. Though reſentful and irritable by nature, he harbored no malice, and diſdained the meanneſs of revenge. He believed firmly in the truth of religion, and entertained an high ſenſe of its importance. But his tolerant ſpirit, and his indifference to the forms of Church Government, made him very obnoxious to the great body of the Clergy. He appeared born for the purpoſe of oppoſing tyranny, perſecution, and oppreſſion: and for the ſpace of thirty years it is not too much to affirm that he ſuſtained the greateſt and moſt truly glorious character of any Prince whoſe name is recorded

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in history. In his days, and by his means, the first firm and solid foundations were laid of all that is most valuable in civil society. Every vindication of the natural and unalienable rights of mankind was, till he ascended the throne of Great Britain, penal and criminal. To him we owe the assertion and the final establishment of our constitutional privileges. To him the intellectual world is indebted for the full freedom of discussion, and the unrestrained avowal of their sentiments on subjects of the highest magnitude and importance. To sum up all, his character was distinguished by virtues rarely found amongst Princes—moderation, integrity, simplicity, beneficence, magnanimity. Time, which has cast a veil over his imperfections, has added lustre to his many great and admirable qualities. His political views were in the highest degree laudable and upright. He had true ideas of the nature and ends of Government: and the beneficial effects of his noble and heroic exertions will probably descend to the latest generations, rendering his name justly dear to the friends of civil and religious liberty, and his memory ever GLORIOUS and IMMORTAL.

# BOOK V.

*State of Europe on the Accession of Queen Anne. Her Resolution to join the Grand Alliance. Session of Parliament. Ministerial Arrangements. War declared against France. Impious Sermon of Binckes. Affairs of Scotland. First Treaty of Union. Campaign in Flanders, 1702. Capture of Liege. Extraordinary Escape of the Duke of Marlborough. Defection of the Elector of Bavaria. Campaign in Italy. Battle of Luzzara. Unsuccessful Attempt on Cadiz. Capture of Vigo. Session of Parliament. Ascendency of the Tories. Occasional Conformity Bill thrown out by the Lords. Proceedings of the Convocation. Naval Transactions in the West Indies. Memorable Engagement of Benbow. Campaign in Flanders, &c. 1703. Tremendous Storm. Session of Parliament. Occasional Conformity Bill a second time rejected by the Lords. Fraser's Plot. First Fruits and Tenths restored to the Clergy. Whigs gain ground at Court. Earl of Nottingham resigns. Memorial of Count Wratislau. Campaign in Germany, &c. 1704. Battle of Bleinheim. Naval Operations. Gibraltar taken. Engagement off Malaga. Affairs of Scotland. Order of the Thistle revived. Act of*

*of Security paſſed. Seſſion of Parliament. Occaſional Conformity Bill a third time rejected. Alarm taken at the Scottiſh Act of Security. Caſe of Aſhby and White. Intrigues of the Court of St. Germaine's in England and Scotland. Campaign of 1705. Death of the Emperor Leopold. Capture of Barcelona. Rapid Succeſſes of the Archduke. Seſſion of Parliament. The Whigs recover their Aſcendency. Obnoxious Motion of the Tories to bring over the Princeſs Sophia. Church declared to be Not in Danger. Articles of the Treaty of Union agreed upon. Campaign, A. D. 1706, in Flanders. Battle of Ramillies. Military Tranſactions in Spain—and in Italy. Advances made by France for obtaining Peace. Affairs of Scotland. Articles of the Union debated. Seſſion of Parliament in England. Articles of the Union ratified by both Parliaments. Intrigues at Court. Diſmiſſion of Sir Charles Hedges.*

NEVER did the death of any Monarch, that of Guſtavus Adolphus in the midſt of his career of victories againſt the Houſe of Auſtria perhaps excepted, excite throughout the Kingdoms of Europe more general grief and conſternation than that of King WILLIAM. Though the Grand Alliance againſt France was now completed, the different Powers of which this vaſt body was compoſed, deprived, by this unexpected ſtroke,

of

of the hero in whoſe wiſdom and rectitude they confided, and under whoſe banners they had been accuſtomed to engage, no longer exhibited any ſymptoms of animation and vigor. Such was the prevailing dread of the power of France, which, from the commencement of the Adminiſtration of Cardinal Richelieu, had been elevated to the preſent alarming height by an almoſt uninterrupted ſeries of military triumphs, that the alliance now formed was conſidered as by no means adequate to the accompliſhment of its object, in caſe of the defection of England. And how far Anne of Denmark, who now ſwayed the ſceptre of that powerful Kingdom, was diſpoſed to adopt the councils, or to purſue the mighty projects formed by her illuſtrious predeceſſor, was conſidered as a queſtion highly problematical. The doubt however was quickly and happily reſolved. By an Act paſſed ſome years previous to the death of the King, the Parliament, notwithſtanding that event, ſtill continued to ſit. Three days after her acceſſion, the Queen, repairing in perſon to the Houſe of Peers with the uſual ſolemnity, made a ſpeech from the throne, purporting "her fixed reſolution to proſecute the meaſures concerted by the late King, whom ſhe ſtyled the great ſupport not only of theſe Kingdoms but of all Europe. And ſhe declared, that too much could not be done for the encouragement of our Allies to reduce the exorbitant

exorbitant power of France." An expreſſion which occurred in the concluſion of her ſpeech, "that her heart was entirely Engliſh," was thought, by thoſe who regarded the proceedings of the new Sovereign with jealouſy, to glance obliquely upon the honor of the late Monarch, and was reſented accordingly. To the Addreſs of the Clergy, preſented by the Archbiſhop of Canterbury, ſhe expreſſed her high regard and attachment to the Church; and to that of the Diſſenters ſhe gave aſſurances of protection, and proteſted "that ſhe would do nothing to forfeit her intereſt in their affections."

Theſe primary meaſures of the new reign were chiefly influenced by the repreſentations of the Lords Marlborough and Godolphin, who demonſtrated the imminent danger to which the liberties of Europe would be expoſed, were England to act with indifference or indeciſion in the preſent criſis. And to give efficacy to a ſyſtem ſo oppoſite to the hopes and expectations of the Tories, Lord Godolphin was advanced to the office of Lord High Treaſurer; and the Earl of Marlborough declared Captain General of the forces of Great Britain at home and abroad, and at the ſame time appointed Ambaſſador Extraordinary and Plenipotentiary to the States General.

That Aſſembly had been ſtruck with amazement at the unexpected intelligence of the death

of the late King. Lamenting in moving terms their irreparable loſs, they embraced each other and promiſed mutually to adhere, at whatever riſque, to the intereſts of their Country. And they iſſued letters to the different towns and provinces of the Union, exhorting them to reſolution and perſeverance. In a few days they were comforted and re-aſſured by the tranſmiſſion of the Queen's Speech, and a letter to the States annexed, in which ſhe declared her determination "to maintain all the alliances of her Crown entered into by the late King; and to concur with them in ſuch meaſures as ſhould be neceſſary to the reduction of the power of France." The Ambaſſador, arriving after a ſhort interval, made, at his firſt audience, a ſpeech to the States, which gave the moſt complete ſatisfaction;—M. Dykvelt, the hebdomadal Preſident, in reply, expreſſing, with tears flowing down his cheeks, the deep affliction of their High Mightineſſes at the loſs they had ſuſtained—their congratulations on the acceſſion of her preſent Majeſty—their hearty thanks for the aſſurance of her friendſhip—and their reſolution to concur in a vigorous proſecution of the common intereſt.

The exultation of the Court of France at the death of the King of England bore a full proportion to the grief elſewhere expreſſed. The Sieur de Barré, left by the Count D'Avaux Chargé d'Affaires,

d'Affaires, preſented to the States a Memorial, inviting them to renew the negotiation, and, in language diſreſpectful and injurious to the late Monarch, ſtating his hope, "that, as their High Mightineſſes would now recover their liberty, and be no longer under reſtraint, they would conſult their own intereſt, and look upon a good intelligence with France as the firmeſt ſupport of their Republic." To this Memorial the States indignantly replied, "that the Sieur Reſident ought to know that their High and Mighty Lordſhips have heretofore had as much liberty as at preſent, to debate and to take all ſuch reſolutions as they judged neceſſary and uſeful for the good and preſervation of their State. It is true they cannot enough deplore their misfortune, to ſee themſelves deprived of the direction and conduct of a Prince whoſe wiſdom, moderation, and valor, will be famed as long as the world endures—a Prince whoſe heroic actions, and whoſe merits from this Republic, will never be forgot; and, in a word, whoſe death is lamented in this country by all perſons whatſoever, from the meaneſt to the higheſt. That the councils of his ſaid Majeſty having never had any other aim, both in deed and in word, than the preſervation of their liberty and religion; and their High and Mighty Lordſhips being entirely convinced of this truth, as having found the benefit thereof, they are reſolved to follow the ſame prin-

ciples, and not to depart from the alliances contracted during the life of his ſaid Majeſty." The Earl of Marlborough's ſtay in Holland, though but of a few days' continuance, anſwered the moſt important purpoſe. The States, charmed by his noble carriage and engaging manners, and ſtruck with admiration at his ſuperiority of genius, placed from this time the moſt unlimited confidence in his capacity and fidelity, which, in the long experience of ten ſucceſſive years, he in no one inſtance abuſed or forfeited.

The Seſſion of Parliament in England proceeded calmly and proſperouſly. The Commons ſettled upon the Queen for life the revenue enjoyed by the late King; and the Queen very nobly in return declared, "that, in conſideration of the great burdens to be ſuſtained by her ſubjects, ſhe would direct 100,000 l. per annum to be appropriated to the national ſervice." The Abjuration Oath impoſed by the Act of the late King was taken very unanimouſly, and even cheerfully: the High Tories and Jacobites, whoſe zeal had now ſuffered a very ſenſible abatement, contenting themſelves, as we are told, with the novel diſtinction, that the term of *right* was a term of law which had relation only to legal right; and not to divine right, or *birth-right*, which ſtill remained unimpaired; and, that the abjuration was binding conſequently only

during the preſent ſtate of things, and not in caſe of a new revolution or conqueſt.

The Queen had now completed her miniſterial arrangements. Her private and perſonal inclinations were decidedly in favor of the Tories. But the Earl of Marlborough, who was impatient to give full ſcope to his talents, and in whoſe breaſt an ardent thirſt for glory, "that infirmity of noble minds," ſuperſeded every other conſideration, employed the extenſive influence which he poſſeſſed over the mind of the Queen through the medium of the Counteſs, to induce the appointment of an Adminiſtration which ſhould proſecute the war with vigor and effect; which he well knew was not to be expected without a powerful co-operation on the part of the Whigs. Lord Godolphin, nearly allied to Marlborough by the marriage of his ſon with the eldeſt daughter of the Earl, was connected with him alſo by the ſtricteſt political union; and though a Tory Adminiſtration was at length formed, not only divers of the Whigs were admitted into the new arrangement, but a ſpirit of conciliation and moderation pervaded the general ſyſtem—proving it to be under the guidance of men deeply verſed in the noble ſcience of political wiſdom. Lord Godolphin, as Lord High Treaſurer, was regarded as the efficient head of the Miniſtry: the Earl of Nottingham and Sir Charles Hedges were

re-inſtated

re-inſtated in their poſts as joint Secretaries of State. The Earl of Pembroke being honorably diſmiſſed from the Admiralty with the offer of a great penſion, which he refuſed to accept; the poſt of Lord High Admiral was occupied by the Prince of Denmark. The Duke of Somerſet, a Whig, was continued Preſident of the Council; and Sir Nathan Wright, a Tory, Lord Keeper. The Duke of Devonſhire, a Whig, was appointed Lord Steward; and the Marquis of Normanby, a Tory, Lord Privy Seal. The Earl of Rocheſter, maternal uncle of the Queen, who diſdained this ſyſtem of compromiſe and conciliation, was confirmed in his Government of Ireland, which he had not yet formally relinquiſhed. Seymour, Howe, Harcourt, and others of the Tories, were now admitted to the Council Board, from which the great Whig leaders, Somers and Halifax, were excluded.

The Earl of Marlborough had agreed with the States and the Imperial Miniſter, that war ſhould be declared againſt France, at Vienna, London, and the Hague, on the ſame day, viz. May the 15th N. S. But when this reſolution came to be debated in Council, it was vehemently oppoſed by the Earl of Rocheſter and others of the Board, who contended, that it was ſafeſt and beſt for England to avoid a declaration of war, and that no neceſſity exiſted for acting, if we acted at all, in any other capacity than as auxiliaries. But the Earl of Marl-

borough remarked, that the honor of the Nation was concerned to fulfil the late King's engagements; and he affirmed, that France could never be reduced within due bounds, unleſs the Engliſh would enter as principals into the quarrel. This opinion was ſupported by the Dukes of Somerſet and Devonſhire, the Earl of Pembroke, and the majority of the Council. A reſolution was taken, therefore, in favor of war; which being communicated by the Queen to the Houſe of Commons, the Houſe returned their unanimous thanks, and aſſurances of aſſiſtance. The Earl of Rocheſter, highly offended that his counſels were rejected, withdrew to his ſeat in ſullen diſcontent: and a meſſage, after an interval of ſome months, being ſent to him from the Queen, commanding him to repair to his Government of Ireland, he inſolently declared, "that he would not go if the Queen would give him the country." The Earl then waited upon her Majeſty, and in great wrath deſired leave to reſign his employments; which was readily granted, and the Viceroyalty of that kingdom immediately conferred upon the Duke of Ormond. On the day prefixed, the Confederate Courts ſolemnly proclaimed war againſt France in their reſpective capitals, to the great aſtoniſhment of Louis XIV. who, on receiving the intelligence from his Firſt Miniſter, the Marquis de Torcy, gave way to unuſual emotions of anger; and,



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throwing from him the Dutch Declaration with great violence, he proteſted, "that Meſſieurs the Dutch merchants ſhould one day repent of their audacity."

The beneficial effects of the laſt meſſage of King William to Parliament, relative to a union of the two kingdoms, now began to appear; and the Queen having, in her ſpeech, joined in recommending to the two Houſes to conſider of the proper methods of accompliſhing an object ſo important and deſirable, a Bill was brought into the Houſe of Commons to empower her Majeſty to nominate Commiſſioners to treat with Scotland for that purpoſe; which, notwithſtanding the perverſe oppoſition of ſeveral of the virulent Tories, paſſed both Houſes by a great majority, and received the royal aſſent. The diſcretion of the preſent Miniſters appeared in an Order of Council, directing the Princeſs Sophia to be publicly prayed for, as next in ſucceſſion to the Crown: and a report having been induſtriouſly propagated, that the late King had formed a deſign of excluding her preſent Majeſty from the Throne; the Dukes of Somerſet and Devonſhire, and the Lords Marlborough, Jerſey and Albemarle, who had the inſpection of the King's papers, were interrogated by the Houſe of Peers as to this point: and they unanimouſly declaring that nothing relative to ſuch deſign was to be found, the Houſe voted the report falſe,

villainous and ſcandalous. And in reply to an Addreſs of the Houſe upon the ſubject, the Queen declared, "that ſhe would order the Attorney General to proſecute the authors and publiſhers of this falſe report."

Notice alſo was taken by the Houſe of Peers of a Sermon preached by one Dr. Binckes before the Lower Houſe of Convocation on the 30th of January 1701, in which a deteſtable and impious parallel was drawn between the ſufferings of Chriſt and thoſe of the *Bleſſed Martyr;* and a decided preference given to the latter. "If," ſays this Chriſtian Divine, "with reſpect to the dignity of the perſon, to have been King of the Jews was what ought to have ſecured our Saviour from violence; here is alſo one not only born to a Crown, but actually poſſeſſed of it. He was not only called King by ſome, and at the ſame time derided by others for being ſo called, but he was acknowledged by all to be a King. He was not juſt dreſſed up for an hour or two in purple robes, and ſaluted with a Hail, King! but the uſual ornaments of Majeſty were his cuſtomary apparel; his ſubjects owned him to be their King; and yet they brought him before a tribunal, they judged him, they condemned him.—Our Saviour's declaring 'that his Kingdom was not of this world,' might look like a *ſort* of renunciation of his temporal ſovereignty: —but here was indiſputable right of ſovereignty, both

both by the laws of God and man. He was the reigning Prince and the Lord's Anointed; and yet, in deſpite of all law human and divine, he was by direct force of arms, and the moſt daring methods of a flagrant rebellion and violence, deprived at once of his imperial crown and life." After ſome debate, the Lords voted, that there were expreſſions in the ſaid Sermon which gave juſt ſcandal and offence to all Chriſtian people; and it was ordered that this reſolution be communicated to his Dioceſan, the Biſhop of Litchfield and Coventry, in order to his being proceeded againſt in the Eccleſiaſtical Court.

The buſineſs of the Seſſion being happily terminated; the Queen, on the 25th of May 1702, prorogued the Parliament in an excellent Speech, expreſſing her conſtant wiſh, "that no differences of opinion among thoſe that were equally affected to her ſervice might be the occaſion of heats and animoſities among themſelves. I ſhall," ſaid ſhe, "be very careful to preſerve and maintain the Act of Toleration, and to ſet the minds of all my People at quiet."

At the demiſe of the late King, the Government of Scotland was entirely in the hands of the Whigs; the Earl of Marchmont being Lord Chancellor, the Earl of Melville Preſident of the Council, the Duke of Queenſberry Lord Privy Seal, the Earls of Seafield and Hyndford joint Secretaries of

State, and the Earl of Selkirk Lord Regiſter. On the acceſſion of the Queen, the Tory and Jacobite faction were much elated, flattering themſelves, that, in conſideration of their zeal for Epiſcopacy, to which they well knew the Queen's devoted attachment, they ſhould now be the favored and governing party. The funds allotted for the ſupport of the army being nearly expired, it was abſolutely neceſſary to hold a Seſſion of Parliament in the courſe of the ſummer. An Act having paſſed in Scotland, as well as in England, to continue the exiſting Parliament ſix months ſubſequent to the death of the King; after ſeveral adjournments, it was accordingly convened on the 9th of June (1702), the Duke of Queenſberry being appointed High Commiſſioner. But before any proceedings could take place, the Duke of Hamilton, and the party of which he was the head, proteſted againſt the legality of the meeting—his Grace reading a paper containing the grounds and reaſons of their diſſent, to the following purport: "Foraſmuch as by the fundamental Laws and Conſtitution of this Kingdom all Parliaments do diſſolve by the death of the King or Queen, except in ſo far as innovated by the 17th Act of the 6th Seſſion of King William's Parliament laſt in being at his deceaſe to meet and act what ſhould be needful for the defence of the true Proteſtant religion as now by law eſtabliſhed, and maintaining

ing the ſucceſſion to the Crown, as ſettled by the Claim of Right, and for preſerving and ſecuring the peace and ſafety of the Kingdom; and ſeeing the ſaid ends are fully ſatisfied by her Majeſty's ſucceſſion to the Crown, whereby the religion and peace of the Kingdom are ſecured; we conceive ourſelves not now warranted by the law to meet, ſit or act, and therefore do diſſent from any thing that ſhall be done or acted." Then the Duke and 79 of the Members, being above two-fifths of the number preſent, withdrew, leaving the majority to ſit and act by themſelves; and as they paſſed from the Parliament Houſe to the High Croſs, they were ſaluted with loud and univerſal acclamation.

Unmoved by this formidable ſeceſſion, the Duke of Queenſberry delivered the Queen's Letter to the Parliament, declaring "her firm reſolution to maintain and protect her ſubjects in the full poſſeſſion of their religion, laws and liberties, and of the PRESBYTERIAN GOVERNMENT of the CHURCH; then acquainting them with the juſt cauſes of declaring war againſt the French King, and earneſtly recommending to them, both the providing competent ſupplies for maintaining ſuch a number of forces as might be neceſſary for diſappointing the enemy's deſigns and preſerving the preſent happy ſettlement, and the conſideration of an union between the two Kingdoms of England and Scotland, which was recommended to them by the late King."

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The Parliament demonſtrated on this trying occaſion great firmneſs and ſpirit. They paſſed an Act declaring it to be high treaſon to impugn the dignity and authority of their proceedings; an Act for ſecuring the Proteſtant Religion and Preſbyterian Church Government; an Act for a ſupply of ten months' ceſs upon all land-rents; and an Act for enabling her Majeſty to appoint Commiſſioners to treat concerning an Union. And they aſſured her Majeſty in their Addreſs in anſwer to the Royal Letter, "that the groundleſs ſeceſſion of ſome of their Members ſhould increaſe and ſtrengthen their zeal for her Majeſty's ſervice." They alſo expelled a Member of the Houſe, Sir Alexander Bruce, for his audacity in affirming "that Preſbytery was inconſiſtent with Monarchy —that, like vice and hypocriſy, and other peſts of mankind, it ſpread and flouriſhed moſt in turbulent times of anarchy and rebellion; and that order and decency in the Church were to be preferred to the pride and infallibility of a Pope in every pariſh." The Dean and Faculty of Advocates having paſſed a vote in favor of the Proteſt of the diſſentient Members, they were ſummoned for the ſame before the Houſe, and received a ſevere reprimand for their preſumption. On the other hand, the Queen tranſmitted a letter to the Lord Commiſſioner, in which ſhe declared her reſolution "to own and maintain this preſent Seſſion of Parliament, and

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the dignity and authority of the ſame, againſt all oppoſers." And the diſſentient Members having deputed the Lord Blantyre to preſent an Addreſs to her Majeſty in vindication of their proceedings, ſhe peremptorily refuſed to receive it; and on the 30th of June 1702 the Parliament was adjourned, after a ſhort, but vigorous and important ſeſſion.

The Queen having, in purſuance of the power veſted in her by the Parliaments both of England and Scotland, appointed Commiſſioners for treating concerning an Union of the Kingdoms; the perſons named in the Commiſſion met for the firſt time on the 22d of October (1702), at Whitehall; where, after the neceſſary preliminaries were ſettled, the Queen made a ſpeech to them in order to quicken and invigorate their proceedings. The Treaty ſeemed for ſome time in a proſperous train; but when the Scottiſh Commiſſioners gave in their propoſals for preſerving the rights and privileges of their Company trading to Africa and the Indies, ſuch difficulties aroſe as put a ſtop to all farther progreſs, and in the ſequel the Commiſſion was altogether annulled.

In the abſence firſt of the Earl of Rocheſter and then of the Duke of Ormond, ſucceſſively Lords Lieutenants of Ireland, that kingdom was placed under the government of Lord Mount-Alexander, General Erle, and Mr. Knightley, as Lords Juſtices. Mean time the Truſtees for the forfeited

Eſtates

Eſtates were continued in the exerciſe of their formidable authority.

Such was the ſtate of affairs at home, when the war on the Continent commenced, agreeably to the advice of the Earl of Marlborough to the States, with the ſiege of Keiſarſwart, a well fortified town, ſituated on the Rhine, ſome leagues below Duſſeldorf. Keiſarſwart belonged to the Elector of Cologne, who had put the French into poſſeſſion of all the ſtrong places in his dominions; and whilſt in their hands, it expoſed both the Circle of Weſtphalia and the eaſtern provinces of the States to alarming inroads. The trenches were opened before the town on the 18th of April (1702), the Prince of Naſſau Saarbruck conducting the operations of the ſiege, and the Earl of Athlone commanding the covering army. Marechal de Boufflers, the French General, having drawn his troops together, paſſed the Maeſe with a view to relieve the fortreſs; and Count Tallard, having poſted himſelf with his flying camp on the oppoſite ſide of the Rhine, ſuccored the garriſon from time to time with freſh troops, ammunition and proviſions. The place was defended with great vigor: but the fortifications being almoſt deſtroyed by the artillery of the beſiegers, and the ravelin and counterſcarp carried by aſſault, the garriſon were compelled, June 15, to capitulate, and were allowed honorable terms.

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The Marechal de Boufflers, finding all his attempts to relieve Keiſarſwart, rendered abortive by the vigilance of the Earl of Athlone, decamped from Zanten on the 10th of June, and directed his march without beat of drum or ſound of trumpet towards Nimeguen, purpoſing to take a poſition between that place and the Confederate Army. The Earl of Athlone, upon the firſt intelligence of this deſign, alarmed for the ſafety of that important city, put his troops in motion, and made good his retreat under the cannon of Nimeguen—reſiſting and repulſing the various attacks of the French with great reſolution. Marechal Boufflers, perceiving his plan totally fruſtrated, defiled with his whole army towards Cleves, venting his reſentment upon the defenceleſs territories through which he marched, laying waſte the country, and deſtroying the Park of Cleves and all the delicious walks and avenues of that charming place.

Such was the ſtate of the campaign when the Earl of Marlborough arrived to take upon him the command of the Allied Army; the Earl of Athlone, though Veldt-Marechal of the Dutch Forces, and a General of great ability and experience, being compelled by the States to relinquiſh his pretenſions in favor of the Earl of Marlborough, who comported himſelf in a manner ſo reſpectful and obliging, as at once to remove all jealouſy and conciliate the entire confidence and regard of his

competitor. The Engliſh Commander, finding his force ſuperior to that of the enemy, reſolved to paſs the Maeſe, below Grave, in purſuit of them; and the Confederates, who were ſo lately reduced to the neceſſity of retreating under the cannon of Nimeguen, had now the pleaſure to ſee the French flying before them; and the Duke of Burgundy, eldeſt ſon of the Dauphin, who accompanied the army, to avoid the participation of this diſgrace now choſe to return to Paris.

The Deputies of the States being anxious to diſpoſſeſs the enemy of the places they held in Spaniſh Guelderland; the Earl of Marlborough gave orders to lay ſiege to Venlo, which ſurrendered on the 25th of September.—He then proceeded to Roermond, ſituated at the confluence of the Roer and the Maeſe, which with Stevenſwart, a fortified town five miles ſouth of Roermond, was reduced before the middle of October. Marechal Boufflers, alarmed at the ſucceſſes of the Confederates, retreated towards Liege, juſtly apprehending that city to be now in danger. But, on the approach of the Earl of Marlborough, not chooſing to riſque a battle, he again put his army in motion towards Tongeren; and Liege being left defenceleſs was delivered up by the Chapter and Magiſtracy. The garriſon, retiring into the citadel, prepared for a vigorous reſiſtance; and M. de Violaine, the Governor, being ſummoned, returned for anſwer, that

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it would be time enough to think of a ſurrender ſix weeks hence. But in ſix days a practicable breach being made, the place was taken ſword in hand by the moſt extraordinary efforts of valor This was a conqueſt of great importance, the navigation of the Maeſe being now completely opened; and the Commander in chief was congratulated upon it by the States in the moſt flattering terms of applauſe.

Upon the breaking up of the army in November, the Earl of Marlborough thought the eaſieſt and moſt expeditious mode of retiring to the Hague was by falling down the Maeſe in one of the great boats which navigate that river. He had a guard of 25 ſoldiers in the boat, and an eſcort of 50 horſe to patrole the banks. But the troopers miſtaking their way in the night, three leagues below Venlo, a party of 35 men from the garriſon of Gueldres, the only place in Guelderland yet remaining in poſſeſſion of the French, lurking near the river, ſuddenly ſeized the haling-rope, and drawing the boat on ſhore made a general diſcharge of fire-arms; and throwing ſeveral hand-grenades into the boat amongſt the crew, who were moſtly aſleep, they rendered themſelves maſters of the veſſel before they could recover from their ſurpriſe. The Earl was accompanied by M. Opdam, a Dutch officer of high rank, and M. Gueldermalſen, one of the Deputies of the States, who were provided with paſſes, which the Earl,

Earl, unſuſpicious of danger, had neglected to procure. But his extraordinary preſence of mind extricated him from this embarraſſment. Recollecting that he had an obſolete paſs belonging to his brother General Churchill in his poſſeſſion, he produced it with the utmoſt compoſure; and in the hurry it was returned without examination. After ſecuring the guard and rifling the veſſel, which they detained for this purpoſe ſome hours, they ſuffered her to proceed on her voyage. The Governor of Venlo, hearing of the capture, and ignorant of the ſubſequent releaſe, marched with his whole garriſon to inveſt the town of Gueldres; and the news reaching the Hague in the ſame imperfect manner, the States reſolved that immediate orders be ſent to all the forces in the vicinity to aſſemble and form the ſiege of the place, menacing the garriſon with the laſt extremities if they refuſed to relinquiſh their priſoner: but before the orders could be diſpatched, the Earl arrived in ſafety at the Hague, where he was received with inexpreſſible joy.

The loſſes upon the Maeſe were not the only diſappointments ſuffered by the Court of Verſailles during this year. The French Army in Germany ſlowly aſſembling under the command of Marechal Catinat; the Imperialiſts had an opportunity of laying ſiege to Landau, a ſtrong fortreſs ſituated on the banks of the Queich in the Lower Alſatia. The place was inveſted by Prince Louis of Baden on the

16th

16th of June; ſeveral weeks elapſed in raiſing batteries and making approaches; and, matters being in a proſperous train, on the 27th of July the King of the Romans arrived in the Confederate camp, in order to have the honor of taking the city. His equipage was ſuperfluouſly expenſive and ſplendid. But the ſiege being retarded by the want of ammunition and ſtores, the place did not ſurrender till the 12th of September.

The neceſſity of the French King's affairs had forced him, when the loſs of Landau appeared inevitable, to grant the Elector of Bavaria all his demands. No ſooner had this Prince decided in favor of France, than he poſſeſſed himſelf by ſtratagem of the Imperial city of Ulm upon the Danube; which excited great alarm throughout the Empire. The Diet, after a warm debate, reſolved by a great majority of voices to declare war againſt France and Spain; the Emperor was addreſſed to proceed againſt the Elector of Bavaria according to the eſtabliſhed conſtitutions; and the Miniſters of Bavaria and Cologne were forbid to appear any more in that Aſſembly.

In conſequence of the ſeizure of Ulm, the Prince of Baden was obliged to return to the defence of the Empire; and his army being weakened by various detachments, he took a ſtrong poſition near Friedlinguen, where he was attacked by the Marquis de Villars with a far ſuperior force. The Germans

under the conduct of this able General defended themſelves with great vigor; and the enemy were finally repulſed, not without conſiderable loſs to the victors. And the Prince being under the neceſſity of abandoning Friedlinguen, the French King cauſed Te Deum to be ſung for the ſucceſs of his arms—the Marquis de Villars being alſo on this occaſion advanced to the dignity of a Marechal of France.

On the ſide of the Moſelle, the French under M. Tallard made themſelves maſters of Triers and Traerbach. In Italy the war was carried on by the Duc de Vendome and Prince Eugene with an ardent emulation of ſkill and valor. The city of Mantua had for a long time been blockaded by the Imperial army; and the ſurrounding paſſes being ſtrongly fortified, the Duc de Vendome marched through the Venetian territories, notwithſtanding the proteſtations of the Republic, to its relief. The Prince, who in conſequence of the defection of the Elector of Bavaria had not received his promiſed reinforcements, at his approach reluctantly withdrew his forces. Philip King of Spain, impatient to ſignalize himſelf in the field, had embraced the indiſcreet reſolution of aſſuming the command of the Italian army in perſon. He arrived in April at Naples, where he received, by a Cardinal Legate, the compliments of the Pope, who nevertheleſs refuſed the inveſtiture of the kingdom;

kingdom; his Holineſs endeavoring by this prudent conduct to preſerve a good underſtanding with both parties—but the Imperial Ambaſſador was ordered upon it to leave Rome. The King of Spain was convoyed to Finale by the French fleet; and ſoon after joining the Dukes of Savoy and Vendome, the united forces of France, Spain, and Piedmont, to the amount of 40,000 men, advanced to Luzzara with a view to cut off the communication of the Imperialiſts with Mirandola and the Modeneſe. Prince Eugene, whoſe army did not exceed 25,000, marched to attack them with the greateſt intrepidity. The Marquis de Feuquieres, whoſe accurate and ſcientific narrative of this engagement gives an artificial intereſt and importance to it, informs us, that the plan formed by Prince Eugene was the moſt maſterly that could be conceived, and failed of ſucceſs by a mere accident. Such was the ſecrecy and rapidity of his operations, that the French had received no intelligence of his being in motion. But the Prince had paſſed the Po, concealing his army behind the high dyke of Zero, and deſigning to commence the attack as ſoon as the enemy had entered in full ſecurity their camp marked out at a little diſtance. The dyke of Zero, forming the canal which extends from Seraglo to Rovero, was in one part carried ſo near the front of the French camp, that one of the Adjutants thought it an advantageous poſt for an

out-guard. This officer aſcending the dyke, and taking a view of the country beyond it, ſaw to his amazement the enemy's foot lying with their faces to the oppoſite declivity of the dyke, with all the horſe in the rear ranged in order of battle. The alarm was immediately given; and the Imperialiſts, finding themſelves diſcovered, advanced boldly to the French camp, which they aſſailed with great impetuoſity, and were received with equal bravery. The conteſt was very bloody, and the ſucceſs doubtful. The French at length abandoned the field of battle; and part of their ammunition and proviſions fell into the hands of the Imperialiſts. But the Prince, being weakened even by the advantage he had gained, was obliged to act on the defenſive; and the fortreſs of Luzzara and other contiguous poſts were captured by the French, who had upon the whole ſomewhat the advantage of the campaign, though by no means what their great ſuperiority of numbers entitled them to expect.

It remains to relate the naval exploits of the preſent year. The confederate fleet, conſiſting of fifty ſhips of the line, with about 14,000 land-forces on board, under the command of Sir George Rooke and the Duke of Ormond, ſailed from St. Helen's July 1ſt, on a ſecret expedition; and on the 12th of Auguſt they caſt anchor before the city of Cadiz. One ſide of the two bays of Cadiz, both inner and outer, is formed by a narrow neck

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of land which runs into the Weſtern Ocean three miles in length. At the extremity of this neck ſtands the town of Cadiz, well fortified towards the land on the eaſt, and the bay on the north. St. Mary's is ſituated on the oppoſite ſhore. The inner bay, called the Pointal, formed by two points of land 700 yards diſtant, is commanded by two forts, called Matagorda and St. Laurent. The men of war and the galleys that lay in the outer bay retired into the Pointal, whither Sir Stafford Fairborne offered immediately to follow them; but this Sir George Rooke thought too hazardous. And inſtead of proceeding to vigorous enterpriſe, ſeveral days were loſt in endeavoring to obtain intelligence; in which time the moſt valuable effects of the Spaniards were conveyed from Cadiz to St. Mary's, and the narrow paſſage between the bays rendered impracticable. At length a Council of War was called, which, in oppoſition to the remonſtrances of the Duke of Ormond, came to a reſolution not to make an attempt on the Iſland of Cadiz. However, the land-forces being diſembarked made themſelves maſters of Port St. Mary, where the authority of the General was inſufficient to reſtrain them from the groſſeſt exceſſes. After an unſucceſsful attempt on the Fort of Matagorda, it appeared to be the general opinion that nothing could be done; and proviſions growing ſcarce, and the Naval Commanders repreſenting the dangers of

the ſea at this ſeaſon, the Duke of Ormond with great reluctance conſented to re-imbark the land-forces; and the whole fleet ſet ſail for England.

On their return they received, by a fortunate chance, the intelligence that the Spaniſh flota, under the convoy of a ſtrong ſquadron of ſhips of war, had put into the harbour of Vigo, which it was inſtantly determined to attack. All thoſe difficulties which were magnified into mountains at Cadiz here dwindled into mole-hills. The Duke of Ormond, at the head of a large detachment of troops, reduced by extraordinary exertions of valor the caſtles at the entrance of the port. And the immenſe boom thrown acroſs the harbor being broke aſunder by Admiral Hopſon, who bore with full ſail againſt it in the Torbay; the whole fleet of men of war and galleons, which had retreated thither for ſecurity, were deſtroyed or captured, with inconſiderable loſs. The cargo on board the flota was computed at twenty millions of pieces of eight in gold and ſilver—the goods were valued at as much more. Both of ſpecie and merchandize, however, a large proportion was taken out and ſaved by the enemy. But enough remained to reward and enrich the captors, who, at their arrival in England, were received with loud acclamations—the ſucceſs at Vigo ſilencing the clamors occaſioned by the previous miſcarriage at Cadiz.

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The Parliament of England, which by law terminated ſix months after the death of the King, was on the 2d of July diſſolved by Proclamation, and a new Parliament ſummoned, which met for the firſt time on the 20th of October (1702), Robert Harley being again choſen Speaker. The Queen opened the ſeſſion with a popular ſpeech, in which ſhe expreſſed her determination "to proſecute thoſe meaſures which ſhould be moſt effectual for diſappointing the boundleſs ambition of France; and that the Nation might the more cheerfully bear the neceſſary taxes, ſhe deſired the Commons to inſpect the accounts of the public receipts and payments, in order to detect abuſes and puniſh the offenders."

The complexion of the Houſe of Commons quickly appeared to be of the Tory and High Church caſt; and an Addreſs was preſented abounding with oblique and invidious reflections on the memory of the late King. In one paragraph it is ſaid, "The vigorous ſupport of your Majeſty's Allies, and the wonderful progreſs of your Majeſty's arms under the conduct of the Earl of Marlborough, have ſignally RETRIEVED the ancient honor and glory of the Engliſh Nation." In lieu of this unjuſt and malicious expreſſion, all who had a regard for the memory of King William ſtrenuouſly inſiſted on ſubſtituting the word MAINTAINED, aſſerting with truth, "that in no reign was the

honor of the Nation ever carried to a greater height—that to him they owed their preſervation —and that he had deſigned and formed that great confederacy from which all the recent ſucceſſes had reſulted." On a diviſion, the word RETRIEVED was nevertheleſs retained by a majority of 100 voices; the whole ſtrength of the Court being meanly and injuriouſly engaged on that ſide *.

The Queen had in her ſpeech declared, "that ſhe was reſolved to defend and maintain the Church as by law eſtabliſhed," without any mention of toleration; and the Commons in reply compliment her Majeſty on being "a moſt illuſtrious ornament to the Church;" and they ſay, "We promiſe ourſelves that in your Majeſty's reign we

* Mr. Walſh, the celebrated poet and critic, at this time Knight of the Shire for the County of Worceſter, compoſed, on occaſion of this debate, the following happy ſatiric Verſes, inſerted in a Poem called The Golden Age, written in ludicrous alluſion to the Fourth Eclogue of Virgil.

Now all our factions, all our fears ſhall ceaſe,
And Tories rule the promis'd land in peace.
Malice ſhall die, and noxious poiſon fail;
Harley ſhall ceaſe to trick, and Seymour ceaſe to rail.
The Lambs ſhall with the Lions walk unhurt,
And Haliſax with Howe meet civilly at Court.
Viceroys, like Providence, with diſtant care
Shall govern Kingdoms where they ne'er appear:
Pacific Admirals, to ſave the fleet,
Shall fly from conqueſt, and ſhall conqueſt meet:
Commanders ſhall be prais'd at WILLIAM's coſt,
And HONOR be RETRIEVED—before 'tis loſt!

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ſhall ſee it perfectly *reſtored* to its due rights and privileges, and ſecured in the ſame to poſterity, which is only to be done by diveſting thoſe men of the power who have ſhewn they want not the will to deſtroy it." Very ſerious and juſt alarm was taken at the tenor of this ſpeech and addreſs, by the Whigs, and more eſpecially the Diſſenters; but affairs took a ſubſequent direction very different from the general expectation.

Soon after the commencement of the ſeſſion, the Queen, by a meſſage to the Houſe of Commons, recommended the making a farther proviſion for the Prince of Denmark in caſe of ſurvivance. The Court of Hanover had entertained very uneaſy apprehenſions leſt an effort ſhould be made by his Royal Highneſs to obtain a participation in the regal dignity: but the indolence and incapacity of the Prince were wholly unequal to the accompliſhment, and it may almoſt be ſaid to the conception, of ſo great an object. The Houſe voted him a revenue of 100,000 l. per annum, with which he appeared entirely ſatisfied.

The Earl of Marlborough, for his great ſervices during the laſt campaign, was about this period created a Duke; and the Queen informed the Houſe of Commons, that ſhe had alſo granted him a penſion of 5000 l. per annum out of the Poſt-office Revenue, and ſignified her wiſh that it might be perpetuated to him and his heirs by Act

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of Parliament. This occaſioned high debates; and the Duke, ſeeing the averſeneſs of the Commons to comply, requeſted the Queen to withdraw her meſſage. And the Houſe, by way of apology, ſtated, in an Addreſs to the Throne, "their apprehenſions of the danger of making a precedent for the alienation of the revenue of the Crown, *ſo much reduced by the exorbitant grants of the laſt reign.*" This refuſal was thought nevertheleſs to excite in the mind of the Duke no little chagrin and reſentment towards the Tory party, the zealots of which deteſted the temporiſing meaſures of the preſent Miniſters, and were loud and inceſſant in their applauſes of the Earl of Rocheſter.

The Toleration Act, paſſed in the late reign, had ever been regarded by the ſame deſcription of perſons with an eye of jealouſy and averſion. But the happy effects of the Toleration were by this time ſo apparent, and the Act itſelf was ſo much the object of national reverence, and appeared ſo ſtrongly engrafted into the Conſtitution as ſettled at the Revolution, that every idea of a repeal was precluded. The Diſſenters were therefore to be attacked during the prevalence of the Tory influence in a different quarter. It ſeems that Sir Humphry Edwin, a Diſſenter, who ſerved the office of Lord Mayor of London in 1697, had, during his mayoralty, been guilty of the groſs indiſcretion of attending in his formalities with the City ſword,

ſword, &c. at a certain Meeting-houſe or *Conventicle*, called Pinner's Hall. This was much exclaimed againſt at the time, and was now made the pretext for bringing in a Bill for preventing, under very great and grievous penalties and incapacities, the practice of Occaſional Conformity, which was painted in frightful colors as an enormity by which the Church was expoſed to the moſt imminent dangers. In the preamble of the Bill the Toleration was aſſerted, and all perſecution for conſcience ſake condemned in an high ſtrain: yet, when a clauſe was moved to exempt Proteſtant Diſſenters from ſuch onerous offices as could not be executed without a compliance with the Teſt, it was carried in the negative—ſo that, whether they did or did not accept in ſuch caſes, they were liable, if not to perſecution, at leaſt to puniſhment. This Bill paſſed the Commons by a great majority, and was carried up to the Lords, who received it with viſible marks of coldneſs and diſguſt. Unwilling, however, to put a direct negative upon the Bill, the adverſe party took an effectual method of defeating it by altering and mitigating the pecuniary penalties therein impoſed. The Houſe alſo ſtruck out a declaratory clauſe, affirming it to be the intention of the Teſt Act that every perſon complying therewith ſhould be in all reſpects conformable to the Church. Even with theſe modifications the Bill paſſed with difficulty, though the influence

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of the Court was fully exerted in its favor. The Lords Marlborough and Godolphin declared openly for the Bill; and Prince George of Denmark, himſelf an Occaſional Conformiſt, and habitually attending at the Daniſh Chapel, divided in favor of it. Previous to the diviſion, the Prince is reported to have ſaid in his broken Engliſh to Lord Wharton on paſſing below the bar, "*My herte iz vid you.*" The Bill being returned to the Commons, a free conference was demanded and held on the ſubject of the amendments; and each Houſe, after vehement altercation, adhering to its opinion, the Bill was loſt for this ſeſſion.

The diſpoſition of the Commons farther diſplayed itſelf by a Bill prolonging by a whole year the time allowed for taking the Abjuration Oath. The Upper Houſe agreed to this, but the Whig Lords had influence ſufficient to obtain the inſertion of two important clauſes; the firſt declaring it high treaſon to endeavor to defeat the ſucceſſion to the Crown as now by law eſtabliſhed;—and, ſecondly, for extending the obligation of the oath to Ireland. This was turning the tables very dextrouſly upon the Tories, the clauſes being ſo plauſible and popular that the Commons would not venture to reject them. A Bill was alſo in the courſe of the ſeſſion introduced by Sir Edward Seymour, for "reſuming all the grants of the late King." This blow was happily parried by Mr. Walpole,

Walpole, Member for Lynn Regis, diſtinguiſhed very early in life by his parliamentary talents, who moved to add, "and thoſe of King James."—This was negatived; but, the partiality being too apparent, the Bill was ſubſequently dropped.

The Place Bill, ſo much a favorite with the Tories during the late reign, was now revived by the Whigs, and brought into the Houſe by Sir John Holland. But its former advocates, Howe, Muſgrave, Seymour, &c. with ſurpriſing effrontery oppoſed and negatived it; inſtead of which they brought in a Bill founded on a novel idea, which they pretended would anſwer the purpoſe of ſecuring the independency of the Houſe much better—providing that no perſons ſhall be choſen Members but ſuch as are poſſeſſed of a certain qualification in landed eſtate. This was however rejected by the Lords, and the ſeſſion was terminated ſo early as the 27th February 1703—the Queen declaring in her Speech "her reſolution to maintain the Act of Toleration, with which ſhe hoped thoſe who had the *misfortune* to diſſent from the Church would reſt ſatisfied."

The proceedings of the Convocation, which ſat during the ſeſſion of Parliament, are almoſt too inconſiderable for hiſtoric notice. In their Addreſs they told the Queen, "that they promiſed themſelves, whatever might be wanting to *reſtore* the Church to its due rights and privileges, her Majeſty would

would have the glory of doing it, and of ſecuring it to poſterity." The ſame frivolous diſputes relative to the privileges of the Upper and Lower Houſe were revived; and the chief artifice of the Biſhops being to repreſent the refractory members of the Lower Houſe as favorers of Preſbytery, a reſolution was paſſed, affirming, "in oppoſition to all ſcandalous and malicious repreſentations of their ſentiments, the Order of Biſhops to be of divine apoſtolical inſtitution," in which they deſired the concurrence of the Upper Houſe, "in order that it might be the ſtanding rule of the Church." But this was remarked to be a manifeſt attempt to make a new canon or conſtitution, without obtaining a royal licence, contrary to the Statute of Henry VIII.—and in the midſt of their great zeal they found it neceſſary to beware of the dangers of a *premunire*. The Lower Houſe of Convocation at length repreſented their grievances in a labored petition to the Queen, ſetting forth, "that, after ten years' interruption of Convocations, ſeveral queſtions had ariſen reſpecting the rights and liberties of the Lower Houſe, which they implored her Majeſty to call into her own royal audience." The Queen promiſed to conſider their petition, and ſend them an anſwer as ſoon as ſhe could. But no anſwer was ever returned. Lord Nottingham, the great Patron of the Church, acknowledged he did not underſtand the queſtion; and the preſent Miniſters,

Miniſters, being men of penetration and ability, ſaw doubtleſs the abſurdity of making themſelves parties in a diſpute which nothing could elevate to conſequence but the interpoſition of the Civil Power. And the proceedings of the Convocation, once ſo formidable, ſerved only to prove how eaſily an aſſembly of Churchmen, diveſted of power, ſink into neglect and contempt.

It may deſerve mention as a *trait* of the weakneſs and ſuperſtition of the Queen's character, that at this period the prepoſterous practice of *touching* for the king's-evil was revived; and to make the impiety vie with the nonſenſe of the thing, an office was inſerted in the Liturgy, to be uſed upon the occaſion. One Bernard, appointed Firſt Surgeon to the Queen, a man of wit, who had often made this *precious foolery* the ſubject of his ſatire, being reminded of his former jeſts, ſaid with a ſleer—"Really one could not have thought it, if one had not ſeen it."

The operations of the Engliſh arms in the countries beyond the Atlantic had been upon the whole favorable in the courſe of the laſt year. Colonel Moore, Governor of Carolina, with a ſtrong Provincial force made himſelf maſter of the town of St. Auguſtine, capital of the neighboring Spaniſh ſettlement of Florida; but the arrival of ſome French and Spaniſh ſhips compelled him to evacuate his conqueſt previous to the ſurrender of the

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fort or citadel. Colonel Codrington, Governor of the Leeward Iſlands, landing on the Iſle of Guadaloupe, poſſeſſed himſelf of the town and caſtle of Baſſe-terre; and, after ravaging and plundering the country, he retired with inconſiderable loſs to St. Chriſtopher's—Guadaloupe at that time, as it ſhould ſeem, not being thought worth the expence of keeping. An Engliſh armament, conſiſting chiefly of privateers, ſailing up the river Darien, arrived in twelve days at the golden mines of Santa-Cruz, near St. Martha, whence, though the country was previouſly alarmed, they carried off a great booty.

The ſquadron detached by the late King under Admiral Benbow to the Weſt Indies fell in, Auguſt the 19th, 1702, with a French armament of nearly equal force under M. de Caſſe. But the Defiance and Windſor, two of his capital ſhips, after receiving two or three broadſides, deſerted the line, and bore away out of gun-ſhot. Other ſhips of the fleet alſo falling aſtern, the French endeavored to eſcape in the night. The Engliſh Commander purſued, hoping his Captains, on the renewal of the engagement, would not fail to do their duty. For ſeveral ſucceſſive days the Admiral fought the enemy with the utmoſt bravery, though very ill ſupported, till on the 24th his right leg was broke in pieces by a chain-ſhot; but, ordering his cradle upon the quarter-deck, he continued the fight with undi-

undiminiſhed ardor. Almoſt all the other ſhips keeping aloof, he made the ſignal for the Captains to come on board: but his entreaties and reproaches proved equally unavailing, and he was moſt reluctantly compelled to deſiſt from any farther purſuit of the enemy, though actually within his graſp. Returning to Jamaica, he ordered a Court Martial to be held on ſix of the Captains, two of whom, Kirkby and Wade, were condemned to be ſhot; which ſentence was in the ſequel executed upon them, by her Majeſty's command, at Plymouth. Admiral Benbow, after languiſhing ſome weeks, died of his wounds, extremely lamented as one of the braveſt and moſt experienced naval officers that England ever bred. He was a man poſſeſſed of many virtues, but his manners were extremely rough and repulſive: and the behavior of the delinquent Captains was ſuppoſed to reſult more from reſentment than cowardice. In a letter written by Benbow after the engagement, he declares, "that the loſs of his leg did not trouble him half ſo much as the villainous treachery of ſome of his Captains." It is remarkable, that the name of Benbow is ſtill of great and undiminiſhed popularity in the Britiſh Navy.

Early in the ſpring of the year 1703, the Duke of Marlborough re-aſſumed the command of the Allied Army, and opened the campaign with the

ſiege of the important town of Bonne—after the reduction of which, he marched towards the French army under M. de Villeroi, with an intention to give them battle; but at his approach that General thought proper to retire within his lines, after ſetting fire to his camp; and the Duke was obliged to ſatisfy himſelf with the conqueſt of Rhinberg, Huy, Limburg and Gueldres.

On the Rhine Marechal Villars maintained the ſuperiority of the arms of France. That able and fortunate General in the month of March inveſted the fortreſs of Kehl oppoſite Straſburg, which ſoon ſurrendered on honorable terms. And he had orders from the Court of Verſailles to join the Elector of Bavaria, who had defeated the Imperialiſts at Scarding, and taken poſſeſſion of the city of Ratiſbon, where the Diet of the Empire was actually aſſembled. Prince Louis of Baden lay encamped at Stolhoffen, where he was attacked in his entrenchments by Marechal Villars and Count Tallard, with a force more than double his number; but the French were vigorouſly repulſed, and the two Marechals obliged to withdraw with ſome precipitation. Nevertheleſs, Marechal Villars, penetrating the paſſes of the Black Foreſt, joined the Elector near Dutling. It was alſo deſigned that this Prince ſhould be farther reinforced by the Duc de Vendome from the Milaneſe: but the Elector, marching into the Tyrol, with a view to facilitate this

this junction, where he even made his triumphal entry into Inſpruck the capital, was in the ſequel attacked by the peaſants of the country with ſuch fury that he was compelled to evacuate the whole territory with great loſs; and the Duc de Vendome, who had advanced almoſt to Trent, retired back to Italy, where the Imperialiſts were too weak and too ill ſupplied to be able to act offenſively; and the miſcarriage of the deſign upon the Tyrol loſt the French ſo much time, that they made no other acquiſition this ſummer beyond the mountains than the ſtrong fortreſs of Barſello, accounted the key of the Duchy of Modena. On the ſecond junction of the Elector with Marechal Villars, the Imperial General Count Stirum was attacked and totally routed by the united forces of France and Bavaria; after which, the Imperial city of Augſburg, notwithſtanding the efforts of the Prince of Baden for its relief, was obliged to ſurrender to the Elector, who now became very formidable. In the mean time, the Count de Tallard reduced the cities of Old Briſac and Landau; and the ſucceſſes of the French on the Rhine, and in the heart of Germany, made ample amends for their diſaſters in Flanders.

The French intereſt nevertheleſs received a great blow this year by the defection of Savoy, and by the acceſſion of Pruſſia and Portugal to the Grand Alliance. The French Court, having rea-

ſon to ſuſpect the deſigns of the Duke of Savoy, covered as they were by the moſt artful ſubtlety, employed the Elector of Bavaria to write a pretended confidential letter to him, filled with complaints of the inſolence and perfidy of the French, and inviting the Duke to join in concert, in order to counteract their projects, and reſtore the peace of Europe. The Duke, miſtruſting nothing, wrote him a frank anſwer, acknowledging his own intended change. On this, orders were tranſmitted to the Duc de Vendome to ſeize and diſarm the troops of Savoy, and to demand the ſurrender of the fortreſſes of Verceil, Verjur, Suſa, and other places: and a menacing meſſage was delivered to his Highneſs from the French King, declaring, "that ſince neither religion, honor, nor intereſt were of force to bind him to his engagements, he had ſent his couſin the Duc de Vendome at the head of his army, to make known to him his intentions—allowing him 24 hours only to reſolve what to do." In the interim, the Duke of Savoy had concluded a treaty with the Court of Vienna, and recogniſed the Archduke Charles as King of Spain: and Count Staremberg, who had the reputation of being the ableſt General in the Imperial ſervice next to Prince Eugene, received orders to march to his relief. This was a commiſſion very difficult and hazardous to execute—the winter being now far advanced, and the enemy in poſſeſſion

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of almoſt the whole country from Modena to Turin. But by extraordinary exertions of military ſkill and valor, the Count formed a junction with the Piedmonteſe army on the 13th of January 1704.

The determination of the Court of Liſbon was ſuppoſed to be chiefly influenced by the repreſentations of the Grand Admiral of Caſtile, who, being entirely gained over to the Imperial intereſt, had retired into Portugal with the wealth he could carry with him, and by urgent perſuaſions and magnificent promiſes prevailed upon the King of Portugal to accede to the Grand Confederacy. And a treaty was in conſequence ſigned on the 24th of May 1703, between the Emperor, the Queen of Great Britain, the States General, and the King of Portugal; by which the Maritime Powers engaged to ſend over a powerful fleet, with 12,000 troops and a great ſupply of money and arms, to Portugal —that Monarch ſtipulating to have an army of 28,000 men ready to join them, and the Archduke was to take the command of the combined forces in perſon. In the month of October the nominal Monarch arrived in Holland, having had an interview with the Duke of Marlborough at Duſſeldorf, to whom he preſented a rich ſword, accompanying it with high expreſſions of eſteem and regard —ſaying, "he hoped the Duke would not think it the worſe for his having worn it himſelf one day."

His Catholic Majeſty was detained ſome weeks in Holland by a ſucceſſion of ſtorms and tempeſts, which on the night of the 26th of November (1703) roſe to an height never before remembered in England. The city of London was ſhaken as by an earthquake: the noiſe and violence of the hurricane, accompanied by torrents of rain, were dreadfully terrific; and the darkneſs was changed into artificial day by the inceſſant glare of lightning. The roofs of very many churches and other public buildings were uncovered—the wind rolling up the ſheets of lead as ſcrolls of parchment. A great number of houſes were blown down; Dr. Kidder, Biſhop of Bath and Wells, with others of the family, were killed by the fall of the epiſcopal palace; and the damage ſuſtained in all parts of the kingdom was incalculable. Rear Admiral Beaumont, who commanded a ſquadron then lying in the Downs, was loſt on the Goodwin Sands, in the Mary of ſixty-four guns, with ſeveral other line of battle ſhips; and 1500 ſeamen were computed to have periſhed. The admired and beautiful ſtructure of the Eddyſtone light-houſe, built by the famous Winſtanley, was demoliſhed; the architect himſelf being of the number of perſons incloſed in it. Having been frequently told that the edifice was too ſlight to withſtand the fury of the winds and waves, he was accuſtomed to reply contemptuouſly, that he only wiſhed to be in it when

when a ſtorm ſhould happen. Unfortunately his deſire was gratified. Signals of diſtreſs were made, but in ſo tremendous a ſea no veſſel could live, or would venture to put off to their relief.

About the end of December the King of Spain landed at Portſmouth, and immediately repaired to Windſor, where the Court was then celebrating the feſtival of Chriſtmas. Here he was entertained with a ſplendor and magnificence correſponding with the opulence and grandeur of the Britiſh Nation. This young Prince diſplayed the true Auſtrian reſerve and gravity, ſpeaking very little, and never once being perceived to ſmile. His manners were nevertheleſs perfectly decorous and obliging, and he appeared highly pleaſed and gratified with his reception. Early in the new year (1704), he ſailed, under convoy of a powerful ſquadron commanded by Sir George Rooke, to Liſbon, where he was welcomed with all the honors due to a King of Spain.

On the 9th of November 1703, the ſeſſion was opened by a very warlike Speech, demonſtrating only how abſolute was the aſcendency now acquired by the Marlborough connection over the pacific and unambitious diſpoſition of the Queen. She demanded "ſuch ſupplies as ſhould be requiſite to defray the neceſſary charge of the war during the next year, with regard not only to all the former engagements, but particularly to the alliance lately

made with the King of Portugal, *for recovering the Monarchy of Spain from the Houſe of Bourbon, and reſtoring it to the Houſe of Auſtria*"—an object which was never avowed, nor, as there is any reaſon to believe, ever entertained by the late King William, the original projector of the Grand Alliance. In the concluſion of her Speech the Queen expreſſed her earneſt deſire of ſeeing all her ſubjects in perfect peace and union amongſt themſelves; and ſhe deprecated any heats or diviſions that might deprive her of that ſatisfaction, and give encouragement to the common enemies of Church and State.

This denoted the riſing aſcendency of Whig principles; and was underſtood as an intimation of her deſire, that there ſhould be no farther proceedings in the Bill againſt Occaſional Conformity, ſo oppoſite to the policy of the Whigs, upon whoſe zeal the Miniſters greatly depended for the farther proſecution of the war. But in a very ſhort time after the meeting of Parliament, a motion was made in the Houſe of Commons for leave to bring in a Bill againſt Occaſional Conformity, and carried, notwithſtanding the *non-concurrence* of the Court, by a great majority. It was, however, ſomewhat differently modified from the former, and the penalties greatly mitigated; and in the preamble the clauſe againſt perſecution was modeſtly and properly omitted. The old to-

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pics of the hypocriſy of the Sectaries and the danger of the Church being ſtill the favorite theme, the Bill triumphantly paſſed the Houſe on the 7th of December (1703); and being ſent up to the Lords, it occaſioned a debate of many hours, whether the Bill ſhould be read a ſecond time, or thrown out. The Prince of Denmark, and ſeveral other Peers connected with the Court, abſented themſelves from the Houſe; and others, who had formerly voted for it, pretending they ſaw farther into the deſign of the Bill, now appeared openly againſt it. The Biſhops, heſitating between oppoſite intereſts, were almoſt equally divided; and Biſhop Burnet, the champion of the Low Church party, made an able and impreſſive ſpeech in oppoſition to the Bill. This prelate cited the example of Queen Elizabeth, who was ſo far from thinking a law of this kind neceſſary, that ſhe encouraged the occaſional conformity of Papiſts in her reign as a meaſure of policy, with the general approbation of the Kingdom. But the Pope ſaw the tendency of this indulgent ſyſtem, and therefore HE took care to put a ſtop to it. "Surely," ſaid he, "the Diſſenters in this reign are not more to be dreaded than the Catholics in that of Elizabeth. After the late King had delivered us from our fears and dangers, and an Act of Toleration was paſſed, the Church, far from being weakened by it, had become both ſtronger and ſafer; and the numbers of the Non-

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conformiſts had conſiderably diminiſhed. But a meaſure of this nature will," ſaid he, "excite their jealouſy and their anger; and when theſe paſſions are awakened, it is in vain to expect to work by any arguments upon their reaſon. The Biſhop ſaid, that he himſelf had been an occaſional conformiſt at Geneva and in Holland; and he thought that occaſional conformity with a leſs perfect church very conſiſtent with the habitual worſhip of God in a more perfect one; and it remained a mere point of opinion, which church or ſociety was the more and which the leſs perfect. He himſelf thought the ſeparation of the Diſſenters founded on error and miſtake: but if they were to be tolerated in their miſtakes, he knew not why they ſhould not be tolerated in a practice which had a direct tendency to moderate and rectify them. Before the civil wars of the laſt century, he obſerved that a great difference was conſtantly made between the Puritans and the Browniſts, on this very account: and the former had been allowed ſome degree of merit, in conforming to the Church ſo far as they lawfully could; and the latter condemned as ſchiſmatics in totally ſeparating from it. But now all was reverſed. Thoſe who came neareſt to the Church were diſcouraged, and the moſt hoſtile and bigoted ſeparatiſts only are deemed entitled to indulgence and favor. If occaſional conformity be an error, I ſee not," ſaid this liberal prelate, "why

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it ſhould be worſe treated than the errors that are now tolerated: for of all errors it is that which has done the greateſt ſervice to the Church." The Lords Marlborough and Godolphin, though they declared the Bill to be *unſeaſonable*, voted for the ſecond reading of it. But this by no means ſufficed to maintain their reputation with the High Church party, who plainly perceived their change of ſentiment reſpecting this favorite meaſure—and from this period theſe Lords were decried by the Tories throughout the kingdom as cold or lukewarm friends of the Church—and the Earl of Rocheſter extolled by them as the only man who could be depended upon for zeal and firmneſs in defence of the civil and eccleſiaſtical conſtitution of the realm in times of difficulty and danger. On dividing the Houſe, it was reſolved by a majority of twelve voices not to give the Bill a ſecond reading, but to REJECT it *.

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* In the Queen's private correſpondence with the Ducheſs of Marlborough at this period, under the feigned names of Mrs. Morley and Mrs. Freeman, her real and ſecret inclination in favor of the Tories is ſtrongly expreſſed. She ſays, "I muſt tell you Mr. Bromley will be diſappointed; for the Prince does not intend to go to the Houſe when the Bill againſt Occaſional Conformity is brought in. But, at the ſame time that I think him very much in the right not to vote in it, I ſhall not have the worſe opinion of any of the Lords that are for it. For though I ſhould have been very glad it had not been brought into the Houſe of Commons, becauſe I would not have had any pretence given for quarrelling, I cannot help thinking, now it is as good

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In the courſe of the preſent ſeſſion a diſcovery was made of a plot which excited much attention, and ſome alarm, though ſcarcely deſerving of either. Simon Fraſer of Beaufort, head of the clan of the Fraſers, who aſſumed upon queſtionable authority the title of Lord Lovat—a man of a character infamouſly profligate, of much low cunning and plauſible addreſs, had been deputed from the Court of St. Germaine's into Scotland, with a commiſſion to treat with the Highland Chieftains who were ſtill attached to that intereſt. After much intrigue and cabal, not only with the Highlanders but divers of the Scottiſh Nobles, he obtained an introduction to the Duke of Queenſberry, High Commiſſioner, to whom he betrayed the whole ſecret of his embaſſy. And it appears that Queenſberry took an ungenerous advantage of this diſcovery, to expoſe, if not to ruin, ſeveral perſons whom he accounted his perſonal or political enemies, particularly the Marquis of Athol, for whom Lovat pretended to have a letter from the Queen at St. Germaine's, thanking that Nobleman for his aſſurances of fidelity and attachment. The direction of this letter, ſaid to be intended for the Duke of Gordon,

as paſſed there, it will be better for the ſervice to have it paſs the Houſe of Lords too. I muſt own to you that I never cared to mention any thing on this ſubject to you, becauſe I knew you would not be of my mind—but ſince you have given me this occaſion, I cannot forbear ſaying, that I ſee nothing like perſecution in this Bill."

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was obſerved to be in a hand different from the contents, to which it was affirmed by the friends of the Marquis to be inſidiouſly affixed by Lovat, between whom and Athol ſubſiſted a *deadly feud*. Intelligence being conveyed by Queenſberry to the Miniſters in London of this ſecret miſſion of Lovat, which was alſo corroborated by the ſeizure of ſeveral Jacobite emiſſaries, at or about this time; her Majeſty on the 17th of December 1703 acquainted the two Houſes in a formal Speech, "that ſhe had unqueſtionable information of very ill practices and deſigns carried on in Scotland." A very long and tedious examination of particulars followed hereupon, upon which the Houſe of Commons paſſed no judgment, and offered no advice; but the Houſe of Peers, as the reſult of the whole, towards the end of the ſeſſion, came to a reſolution, which they expreſſed in an Addreſs to the Queen, "That there appeared to have been a dangerous conſpiracy carried on for raiſing a rebellion in Scotland, and invading that kingdom with a French power; and their Lordſhips gave it as their opinion, that nothing had given ſo much encouragement to her Majeſty's enemies to enter into this deteſtable conſpiracy, as that the ſucceſſion to the Crown of Scotland was not declared to be in the Princeſs Sophia and her heirs, being Proteſtants." To which the Queen replied, "That ſhe had already declared her intentions of endeavoring

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the ſettlement of the Proteſtant ſucceſſion in Scotland, as the effectual means of ſecuring their quiet and our own, and the readieſt way to an entire union between both kingdoms, in the perfecting of which it was very deſirable that no time ſhould be loſt."

The ſecret correſpondence of Fraſer with Queenſberry could not long remain unſuſpected by the Jacobites. In conſequence of a paſs procured for him by that Nobleman, he returned to the Continent, and, repairing to the Court of St. Germaine's, delivered in a long and confuſed memorial to the Queen Regent, containing a pompous account of the ſucceſs of his miſſion, acknowledging without reſerve his intrigues with Queenſberry, Argyle, Leven, &c. On the peruſal of this memorial, the Earl of Middleton, clearly perceiving the falſehood and treachery of Lovat, declared in a letter to M. de Torcy (Jan. 16, 1704) "that, although he never had a good opinion of him, he did not think him fool enough to accuſe himſelf. The informations given againſt him by others," ſaid his Lordſhip, "are out of the queſtion. He acknowledges plainly a formal diſobedience; for he was abſolutely forbidden to treat with any but the Highlanders. He told me that Queenſberry, Argyle, and Leven were the greateſt enemies of the King in that country; yet he communicated to them the whole of his commiſſion. He rejects

extraordinary offers, but obtains a paſs to go to London; and from thence the ſame Queenſberry obtains another paſs for him under a borrowed name, to ſecure his ſafe return to France. It is therefore clear as day-light, that theſe Noblemen wanted to employ him here as a ſpy—and for ſeizing letters and commiſſions which might ſerve as proofs againſt the men of honor in that country *." In concluſion, Lovat, in reward of the great ſervices he boaſted to have performed, was thrown into the priſon of the Baſtille. The moſt remarkable circumſtance attending this futile conſpiracy, was the extreme ardor with which it was inveſtigated by the Peers, and the indifference approaching to contempt apparent in all the proceedings relative to it in the Houſe of Commons—affording a good political barometer of the general ſtate of parties and opinions in the Legiſlative Body.

Great and merited popularity was acquired by the Queen in conſequence of a meſſage delivered to the Houſe of Commons by the Secretary of State, Sir Charles Hedges, on the anniverſary of her birth-day this year, 1704, importing, "that her Majeſty, having taken into her ſerious conſideration the mean and inſufficient maintenance belonging to the Clergy in divers parts of this kingdom, to give them ſome eaſe had been pleaſed to remit the arrears of the tenths to the poor Clergy:

* Macpherſon's Papers, vol. i. p. 652.

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and for an augmentation of their maintenance her Majeſty declared that ſhe would make a grant of her whole revenue ariſing out of the firſt fruits and tenths, *as far as it ſhould become free from incumbrances*, to be applied to this purpoſe. And if the Houſe of Commons could find any proper method by which her Majeſty's good intentions to the poor Clergy might be made more effectual, it would be of great advantage to the Public, and acceptable to her Majeſty." Upon the Queen's meſſage a Bill was brought in, enabling her to alienate this branch of the revenue, then amounting to about 17,000 l. per annum, but ſince much improved and increaſed, and to create a Corporation by charter to apply it to the uſe for which ſhe now gave it. In aid of which purpoſe, a partial repeal of the Statute of Mortmain took place, that it might be free to all men to give or bequeath what they thought fit towards the augmentation of the fund. This excellent charity is known by the appellation of Queen Anne's bounty; and it produced a ſet of Addreſſes from all the Clergy of England, full of thanks and juſt acknowledgments. To render the Royal Meſſage perfectly intelligible, it is neceſſary to remark, that this antient branch of the papal, and, ſince the æra of the Reformation, of the royal, revenue had never been regularly paid into the Royal Treaſury; but, being collected by the Biſhops, was ſet apart as a fund on which to make

aſſignments

aſſignments to Court favorites—the Earl of Sunderland at this very period enjoying a penſion of 2,000 l. per annum for two lives, payable out of the ſame. As the Courtiers, therefore, were ſo much intereſted in the perpetuation of this abuſe, greater merit is aſcribable to the Queen for adopting a mode of extinguiſhing it, at once ſo effectual and ſo beneficial.

A remarkable Act paſſed this ſeſſion, empowering Juſtices of the Peace to take up ſuch idle perſons as had no calling or means of ſubſiſtence, and to deliver them to the officers of the army, upon paying them the levy-money allowed for raiſing recruits. Another Bill was likewſe introduced into the Houſe of Commons, to compel the ſeveral pariſhes throughout England to furniſh to the army a certain complement of men. But this being regarded, in times more vigilant and jealous than the preſent, as "a copy of what was practiſed in France and other deſpotic Governments, and inconſiſtent with the Conſtitution and Liberty of Engliſhmen," it was unanimouſly REJECTED. On the 3d of April (1704) the Queen came to the Houſe, and in a Speech of form put an end to the ſeſſion.

The Whigs ſtill appeared to gain ground in the Cabinet. The Earl of Nottingham, while the Parliament was yet ſitting, reſigned his poſt of Secretary of State—not being able to obtain the diſ-

miſſion of the Dukes of Somerſet and Devonſhire from the Queen's ſervice, and reſolving, as he declared, to participate no longer in any Councils to which thoſe great Whig Peers were admitted. The Seals were given to Mr. Harley, and at the ſame time Mr. St. John was made Secretary at War. The key of Chamberlain alſo was at this period taken from Lord Jerſey, and transferred to the Earl of Kent. The proceedings of the Convocation happily remained too inſignificant for attention. The Lower Houſe ſent up a repreſentation to the Biſhops, enumerating ſome abuſes in eccleſiaſtical diſcipline and the Conſiſtorial Courts; but no notice was taken in it of pluralities, non-reſidence, and the flagrant and ſcandalous neglect of Cures.

In the month of January 1704, Count Wrattiſlau, the Imperial Ambaſſador, preſented a Memorial to the Britiſh Court, in which he repreſented the alarming and dangerous ſituation to which the Emperor and the Empire were reduced in conſequence of the rapid ſucceſs of the French arms in Germany, and the defection of the Elector of Bavaria, who had entered into a ſtrict confederacy with France; had joined the armies of that Monarchy with all his forces; had ſeized the cities Augſburg, Ulm, and Paſſau, and threatened to attack even the Imperial capital of Vienna itſelf. The Emperor therefore implored the aid and pro-

tection of the Queen and People of ENGLAND to ſave the ROMAN EMPIRE from impending ruin.

This application, ſo glorious to the Engliſh Nation, was not made in vain. The Duke of Marlborough received orders from the Queen to concert with the States the moſt eligible means of accompliſhing this great object. On his arrival at the Hague, he repreſented to their High Mightineſſes the neceſſity of making a powerful effort for the relief of the Empire; and propoſed, that, as the frontiers of Holland were now perfectly ſecure, he ſhould be permitted to march with the grand Confederate army to the banks of the Moſelle, there to fix the ſeat of the war. And as the French Court would, in conſequence of this diverſion, be led to entertain ſerious apprehenſions for the ſafety of their own territories, they would be compelled to deſiſt from any farther proſecution of their vaſt and ambitious projects in Germany. Under this veil did that great Commander conceal his real deſign, which he communicated only to the Penſionary Heinſius, and two or three other leading perſons, whoſe influence might obtain a ſanction to the meaſure whenever a public avowal of it ſhould be deemed neceſſary. The conſent of the States being with ſome difficulty procured, and the campaign at length opened, the propoſed march to the Moſelle accordingly took place. Marſhal Tallard, who commanded the French army, apprehending

Traerbach to be in danger and that the Duke's intentions were to penetrate into France on that ſide, took no ſteps to obſtruct his Grace's farther progreſs to the Eaſt. To the amazement, however, not only of the French General, to whom the Duke's movements were wholly incomprehenſible, but of all Europe, whoſe attention was now fixed on this intereſting ſcene, the Allied Army paſſed the Rhine May 26th, and in a few days after the Maine and the Necker. On his arrival at Ladenburg, June 3d, he thought proper to throw off the maſk; and he wrote from thence a letter to the States, acquainting their High Mightineſſes "that he had received orders from his Sovereign the Queen of England, to adopt the moſt vigorous meaſures to deliver the Empire from the oppreſſion of France—that for this purpoſe he was proceeding on his march to the Danube; and he hoped their High Mightineſſes would not heſitate to allow their troops to ſhare in the glory of this enterpriſe." The States, finding it impracticable to recede, thought it adviſable to comply with a good grace, and immediately diſpatched a courier to inform the Duke, "that his deſign met with their unanimous approbation—that they entruſted their troops entirely to his diſpoſal, placing the moſt perfect reliance on his Grace's ſkill, experience and diſcretion." This difficulty being thus happily ſurmounted, the Duke proceeded on his expedition:

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and at Mildenheim he had an interview with Prince Eugene, in which theſe two conſummate Generals agreed upon their future plan of operations. On the 1ſt of July, the Duke, being previouſly joined by the Imperial army under the Prince of Baden, came in ſight of the lines of Schellenburg, in which the flower of the Bavarian troops lay ſtrongly entrenched, near the town of Donavert, ſituated on the banks of the Danube. Early the next morning his Grace reſolved on the attack; and after a very gallant reſiſtance the lines were forced with great ſlaughter, and Donavert immediately ſurrendered at diſcretion.

But this ſucceſs, though brilliant, was loſt in the ſplendor of the ſubſequent victory. The Elector of Bavaria obſtinately refuſing to liſten to terms of accommodation, and being at length joined by M. Tallard, who had with great danger and difficulty traverſed the immenſe foreſts of Suabia with a view to his relief; it was reſolved by the Duke of Marlborough and Prince Eugene—the Prince of Baden being engaged in the ſiege of Ingoldſtadt—to engage (Auguſt 13) the combined armies of French and Bavarians, then poſted near the village of BLEINHEIM, a name ever memorable in the annals of Britiſh and of Gallic hiſtory. The enemy were very advantageouſly encamped on a riſing ground. Their right flank was covered by the Danube and the village of Bleinheim, into which

the Marechal had thrown a great body of his beſt troops: their left wing, commanded by M. Marſin and the Elector, in perſon, was protected by the village of Lutzingen and the adjoining woods; and they had in front of the camp a rivulet, whoſe banks were ſteep and the bottom marſhy. It being determined that the Duke of Marlborough ſhould command the attack againſt Marſhal Tallard, about noon the left wing of the Allied Army paſſed the rivulet without moleſtation, and drew up in order of battle on the other ſide. So unaccountably ſupine, or inexcuſably preſumptuous, were the French Commanders on this occaſion, that they ſuffered even the ſecond line of cavalry to form without deſcending from the heights of which they were in poſſeſſion, into the meadows, which occupied the interval between the camp and the rivulet. On being informed that the Allies were throwing bridges over different parts of the ſtream, M. Tallard diſdainfully replied, "If they have not pontoons enough, I will lend them ſome." The Allies now aſcending the hill in a firm compacted body, the enemy advanced with great ſpirit and reſolution, and a furious and bloody conteſt enſued. The French at length giving way on all ſides, M. Tallard made an effort to gain the bridge thrown over the Danube, between Bleinheim and Hochſtedt: but being cloſely purſued, vaſt numbers were either killed or forced into the river, and

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the Marechal himſelf was made a priſoner. The troops incloſed in the village of Bleinheim, being now left deſtitute of ſupport, were obliged to ſurrender at diſcretion. On the right, where Prince Eugene commanded, though the ſucceſs was not ſo deciſive, the Elector and M. Marſin were compelled, after a ſevere conflict, to retreat in confuſion, and with very great loſs; and, upon the whole, this was one of the moſt complete and important victories ever gained. The French force in Germany was in effect annihilated. Excluſive of the prodigious carnage during the heat of the action, ſeventy entire ſquadrons and battalions were either captured at Bleinheim or drowned in the Danube; and the ſhattered remains of their army, after the loſs of 40,000 veteran troops, were utterly incapable of making head againſt the victors. This day entirely changed the aſpect of affairs in Europe. France was no longer formidable. After her long ſucceſſion of triumphs, ſhe now experienced a fatal and ſudden reverſe of fortune, by which ſhe was overwhelmed with amazement and conſternation.

The danger and difficulty of this attack, on a ſuperior army thus advantageouſly poſted, was repreſented to the Duke in ſtrong colors by ſeveral of the General Officers. But he told them, "he had weighed theſe objections in his mind, and he foreſaw that inaction would be no leſs fatal than defeat

—the Empire was not to be ſaved without effort, and the attempt, however hazardous, was neceſſary." It appears that this great commander, perceiving the criſis to which matters had now arrived, knowing the fate of Europe to be depending, and inflamed with that enthuſiaſtic love and ambition of glory which conſtitute the hero, had determined to conquer or to die. On the eve of the battle he had, agreeably to that regard to religion which was a remarkable *trait* in his general character, devoted himſelf to the Almighty in the preſence of his Chaplain, and received the holy ſacrament; and in the morning he was obſerved to be inſpired with an extraordinary cheerfulneſs and alacrity, which diffuſed itſelf over the whole Confederate Army, who marched as if in confidence of victory. The moſt ſingular part of this buſineſs was the unconditional ſurrender of the forty battalions and ſquadrons poſted at Bleinheim, and commanded by M. Clerambault, an officer of great reputed ſkill and courage. Marechal Villars, in a letter written by him to his friend the Abbé de St. Pierre, ſpeaks not merely of this ſurrender itſelf in terms of the higheſt indignation, but even of the compaſſion expreſſed for the unfortunate captives. "Theſe ſentiments," ſays he, "are very little like thoſe of the antient Romans after the battle of Cannæ. What could they do better? ſay ſome ſilly people.—It is upon ſuch occaſions as this that one muſt anſwer with old

old Horatius in Corneille, '*Qu'il mourût.*'—The Spaniſh infantry at Rocroy choſe rather to periſh than to beg quarter." The encomiums beſtowed on the Duke of Marlborough in conſequence of this victory, the greateſt and moſt deciſive which had been fought for ſeveral ages in Europe, were unbounded and univerſal; and no one was more eager to do juſtice to his unrivalled merit than Prince Eugene, who pretended only to the ſecond honors of the day. In the letter of congratulation written to the Duke by the States General, their High Mightineſſes declare "that they never durſt carry their hopes ſo far as to think of ſo glorious and complete a victory:" and in their ſubſequent epiſtle to the Queen, they acknowledge "that it was the bravery of the Engliſh troops that principally contributed to the victory—and that the Duke of Marlborough had reaped laurels that could never fade." The Emperor, who, previous to this glorious event, was reduced to a ſtate of extreme peril, preſſed by the Bavarian forces on the one ſide and the Hungarian inſurgents on the other, wrote to the Duke a letter filled with the warmeſt acknowledgments. After mentioning to his Grace the honors ſo deſervedly conferred upon him by his admiſſion into the College of Princes of the Holy Roman Empire, his Imperial Majeſty, to tranſcribe his own words, declares this to be done, "that it may more and more appear to all the world

world how much, as I freely own it, I and all the Empire owe to the moſt Serene Queen of Great Britain, for having ſent her powerful aſſiſtance as far as Augſburg and Bavaria itſelf under your conduct, when my own affairs and thoſe of the Empire were ſo much ſhaken and diſordered by the perfidious defection of the Bavarians—Paſt ages having never ſeen the like victory obtained over the French, it may reaſonably be hoped that the full and perfect liberty of the Chriſtian World ſhall be reſcued from the power of France, which was ſo imminently impending over it."

The Elector of Bavaria, at the head of a ſmall body of troops, effected a retreat, or rather made his eſcape, and joined Marechal Villeroi in Flanders, leaving the Electorate at the mercy of the conquerors, who, after reducing Ingoldſtadt and the other fortreſſes of the Duchy, glorioufly concluded the campaign with the ſieges of Landau, Triers, and Traerbach. And in the month of December (1704) the Duke of Marlborough returned in triumph to England, where he was received with unbounded tranſports of joy.

The campaign in Brabant and Flanders, where Veldt Marechal Auverquerque was oppoſed with great advantage and reputation to M. Villeroi, being wholly defenſive, affords no occurrence meriting hiſtoric notice.

The Engliſh and Dutch auxiliaries arrived in Portugal

Portugal early in the ſpring of 1704; but the Court of Liſbon had made no preparations for taking the field: and the Duke of Schomberg, General of the Britiſh troops, ſaw them with aſtoniſhment and indignation diſtributed amongſt the frontier garriſons. The Duke of Berwick, who commanded for Philip V, entering Portugal, reduced with little difficulty the towns of Sogura, Salva-terra, and Cebreros. The Marquis de Villadarias, at the head of another army, met with equal ſucceſs. Paſſing the Tagus, the Duke of Berwick, now joined by the King of Spain in perſon, inveſted Portalegre, and afterwards Caſtel Davide, both of which ſurrendered at diſcretion. The intenſe heat of the weather, and not the reſiſtance of the Portugueſe, at length compelled the Spaniſh General to ſend his wearied troops into quarters of refreſhment. The Duke of Schomberg was now ſuperſeded in the command by the Earl of Galway, who carried with him large reinforcements; but no enterpriſe of moment diſtinguiſhed the latter period of the campaign.

The ſucceſs of the Engliſh by ſea during the ſummer was upon the whole conſiderable. Sir George Rooke, who commanded in the Mediterranean, appearing before Barcelona, ſent a flag of truce with a letter from the Prince of Heſſe-Darmſtadt, formerly Viceroy of Catalonia, who was on board the fleet, to the Governor Don Franciſco

ciſco de Velaſco, ſummoning him to ſurrender the town to his lawful Sovereign King Charles III. But though the city was known to be well affected to the Auſtrian intereſts, the Governor returned an haughty refuſal, and ſecured divers of the principal citizens whom he ſuſpected. On his return to Liſbon, Sir George Rooke was joined by Sir Cloudeſley Shovel; and in a council of war it was reſolved to make a ſudden attempt upon Gibraltar. After a furious cannonade, in which 15,000 ſhot were in a few hours fired into the town, the boats of the fleet were armed, and landed upon the peninſula; and a redoubt half way between the mole and the town being taken by ſtorm, the Governor thought proper to capitulate. No ſooner had this unwelcome intelligence reached Madrid, than the Marquis de Villa-darias was detached with a large body of troops to retake this important place.

After furniſhing the fortreſs with the neceſſary ſupplies for a vigorous defence, Sir George Rooke, ſailing again into the Mediterranean in conjunction with the Dutch Admiral Callemberg, met off Malaga, Auguſt the 13th, the French fleet under the Count de Toulouſe, conſiſting of about 50 ſhips of the line of battle. A fierce and bloody encounter enſued, in which, however, no veſſel on either ſide was captured or ſunk: but the French ſuffered much in the action, and bore away in the night

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for Toulon, ſo diſabled as to render it impoſſible to put to ſea again for the ſeaſon. Sir George Rooke ſoon after this engagement returned to England, leaving Sir John Leake with a ſtrong ſquadron to defend the coaſts of Portugal. The Spaniards had drawn together all the forces they had in Andaluſia and Eſtremadura, for the purpoſe of forming the ſiege of Gibraltar; which made a ſeaſonable diverſion in favor of Portugal. All the efforts of the Count de Villa-darias being found ineffectual, the Mar. de Teſſé was ſent from France to ſuperſede him in the command, but with no better ſucceſs. The Prince of Heſſe defended the place with undaunted valor; and after a cloſe inveſtment by ſea and land for ſix months, the ſiege was finally raiſed in conſequence of the entire defeat of the French ſquadron, cruiſing off the bay under M. de Pointis, by the Engliſh Admiral Sir John Leake.

In Italy, the Duke of Savoy had this campaign experienced nothing but diſaſters. The ſtrong places of Vercelli, Ivrea and Verue ſucceſſively fell into the hands of the Duc de Vendome, after a vigorous and obſtinate reſiſtance. The Duke complained much of the Emperor's failing to make good his promiſes; but he ſaid, "though he was abandoned by his allies, he would not abandon himſelf." The fact was, that the Imperial arms were ſtill occupied in an inglorious and pernicious

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conteſt with the malcontents of Hungary, headed by the gallant Prince Ragotſki. Could the Emperor have been induced to offer theſe oppreſſed and exaſperated people reaſonable terms of accommodation after his ſucceſſes in Bavaria, the diſorders in Hungary would have been eaſily and ſpeedily appeaſed: but the Court of Vienna aimed at nothing leſs than unconditional ſubmiſſion; which the Hungarians well knew was only another term for ſlaughter, confiſcation and ruin. Louis XIV. had alſo for ſome years paſt been engaged with the Proteſtants of the Cevennes in a war almoſt equally barbarous and impolitic; and one of the ableſt of his Generals, M. de Villars, was this ſummer employed, much to the advantage of the Allies, in their reduction, which, after the country was converted into a deſert, was at length effected on terms which, had they been faithfully adhered to, would have left them at liberty to worſhip God according to the dictates of their own conſciences.

It is now once more neceſſary to revert to the domeſtic affairs of Great Britain, and more particularly to thoſe of Scotland, the political ſituation of that kingdom being at the preſent period peculiarly critical and intereſting. After the receſs of Parliament in the ſummer of 1702, various important changes took place favorable to the views of the party which then governed with abſolute ſway in England. The Earls of Marchmont, Melville, Selkirk,

Selkirk, Hyndford and Leven were diſplaced, and the Earl of Seafield conſtituted Chancellor, the Marquis of Annandale Preſident, the Marquis of Athol Privy Seal, Viſcount Tarbat Secretary of State: and the Parliament being diſſolved, and writs iſſued in the ſpring of 1703, the Duke of Queenſberry was appointed Lord Commiſſioner. A general proclamation of indemnity having been iſſued, on the 6th of March 1703, for all treaſons committed previous to the month of April laſt; great numbers of Jacobites were encouraged to return to Scotland from St. Germaine's and other parts of France, by which means a conſiderable acceſſion of ſtrength accrued to the malcontent faction, which conſiſted, nevertheleſs, of ſuch heterogeneous materials as to render it impoſſible firmly to unite in any conſiſtent plan of oppoſition. The Parliament met May the 6th, 1703; and the Lord Commiſſioner read from the throne the Queen's Letter, recommending liberality in their ſupplies, prudence and unanimity in their reſolves. After which, the Duke of Hamilton offered the draught of a Bill, recogniſing her Majeſty's right and title to the Imperial Crown of Scotland; to which Sir James Stuart the Lord Advocate offered an additional clauſe, "that it ſhould be treaſon to queſtion her Majeſty's right and title to the Crown, or her exerciſe of the Government, from her actual entry to the ſame." This was plainly intended

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to operate as an authoritative juſtification of thoſe who had been inſtrumental in carrying into effect the bold and deciſive meaſures of the laſt ſeſſion; and it was urged by the Hamilton party as the higheſt indignity to the Queen to expoſe her exerciſe of the Royal power to the leaſt ſuſpicion by ſuch a clauſe, which after all would afford no ſecurity to the *actings of her Miniſtry*. But the Whigs diſmiſſed from office being deeply intereſted in the buſineſs, and joining the Court upon this occaſion, it was received by a great majority. When the Act of Recognition had paſſed, the Earl of Hume, a late convert to the Court, who had qualified only ſince the death of the late King, roſe, and moved the Houſe for a ſupply; on which the Marquis of Tweeddale ſaid, "that he had an overture to make, which he hoped would, by reaſon of its importance, be preferred to all other buſineſs.—This he declared to be for a reſolve of Parliament, to proceed in the firſt place to make ſuch conditions and regulations, to take place after the deceaſe of her Majeſty, as ſhould be neceſſary for the preſervation of the national religion and liberty." After a long and very eager debate, it was ultimately determined, that the overture ſhould have precedence of the motion. Whereupon the Marquis of Athol offered "an Act for the SECURITY of the KINGDOM in caſe of her Majeſty's deceaſe." After the Houſe had made ſome progreſs

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in conſidering the clauſes of this Act, it was ſuggeſted to be neceſſary to reſcind the ſecond Act of the third Parliament of King Charles II. eſtabliſhing the ſucceſſion of the Crown in the next blood in the royal line, of whatſoever religion—for that, as the law of Scotland then ſtood, the right of blood, paſſing over the claims of the Court of St. Germaine's, would inhere in the Houſe of Savoy: and the Lord Advocate preſented a Bill ready drawn for reſcinding the ſaid Act accordingly. But it was urged that, all Popiſh ſucceſſors being excluded, they would by this repeal virtually decree the ſucceſſion to the Houſe of Hanover: and it was ordered to lie on the table. The Act of Security at length paſſed the Houſe Auguſt 13th (1703), notwithſtanding all the oppoſition of the High Commiſſioner and the party who adhered to him in this exigency, by a majority of 59 voices. This famous Act contained in ſubſtance, that on the 20th day after the Queen's deceaſe the Eſtates of Parliament ſhould meet; and that in the intermediate time the Executive Government ſhould devolve on thoſe members who ſhould be reſident in Edinburgh—that no foreigner or *Engliſhman* ſhould be capable of ſitting as a member of the Aſſembly of Eſtates; that the nomination of a ſucceſſor ſhould be veſted in the Aſſembly or Convention—but that the ſucceſſor ſo named ſhould not be the ſucceſſor to the Crown of England, un-

leſs ſuch conditions of Government ſhould be previouſly ſettled, as ſhould ſecure the honor of the Kingdom, the independence of the Crown, the freedom, frequency and power of Parliament, and the religion, liberty and trade of the Scottiſh Nation, from *Engliſh* or foreign influence.

After ſeveral weeks of anxious expectation and ſuſpenſe, the Lord Commiſſioner informed the Houſe, "that he was empowered to give the royal aſſent to all the Acts paſſed during the ſeſſion EXCEPT the ACT of SECURITY. The glowing embers of jealouſy and diſcontent now at once burſt into that flame of paſſion which in all popular aſſemblies, at times, ſeems to reduce to one common level the wiſdom of the wiſe and the folly of the fooliſh. Even previous to the refuſal of the Commiſſioner, the temper of the Houſe was ſufficiently apparent. The Earl of Marchmont, in his great zeal for the Proteſtant intereſt, having officiouſly introduced a Bill for ſettling the ſucceſſion; no ſooner was the name of the Princeſs Sophia mentioned than the Houſe was in an uproar. Some were for calling Lord Marchmont to the bar; others, for ſending him priſoner to the caſtle of Edinburgh: the overture was rejected without a vote, and the propoſition itſelf ordered to be expunged from the Minutes of Parliament. No ſooner was it announced that the royal aſſent would not be given to the Act of Security, than the

Members broke out into the moſt violent invectives—branding the Servants of the Crown as the ſlaves of the Engliſh Miniſtry, and the calumniators of their country. Some even denied that the right of a negative was inherent in the Crown. A vote paſſed declaring void the Commiſſion for treating of an Union with England. They perſiſted in their refuſal to grant any ſupply; and the Commiſſioner urging the defenceleſs ſtate of the Kingdom, and the neceſſity of ſupplies for *ſecuring* the ſame, he was reminded of the *ſecurity* which had been denied to the Nation; and the Earl of Roxburgh declared without reſerve, "that if there was no other way of ſupporting the natural and undeniable privilege of Parliament, the friends of their country were reſolved to demand juſtice with their ſwords in their hands." And the Lord Commiſſioner, apprehenſive of the ſafety of his own perſon, became impatient to put an end to this dangerous and turbulent ſeſſion; in the varied and lengthened courſe of which it is remarkable, that, notwithſtanding the Tory complexion of the Adminiſtration, very great conceſſions were made to the Whigs, or Preſbyterian party, in Parliament, in order to enſure their ſupport.

On the 1ſt of June, an "Act for toleration to all Proteſtants in the exerciſe of religious worſhip," preſented by the Earl of Strathmore, being read, a ſtrong repreſentation was offered againſt it in the

name and at the appointment of the General Assembly, concluding in these words,—"that they were persuaded, that to enact a Toleration for those of the Episcopal way, WHICH GOD in his INFINITE MERCY AVERT! would be to establish iniquity by a law, and would bring upon the promoters thereof, and their families, the dreadful guilt of all those sins and pernicious effects that might ensue thereupon." The Episcopalians, whether connected with or in opposition to the Court, were equally solicitous at this crisis to avoid giving any cause of offence to the leaders of the Presbyterians, who could throw the whole weight of their influence into either scale, and who were no less fearful of opposing on this favorite point the voice of the General Assembly. In consequence, therefore, of this miserable and detestable bigotry, the perpetual characteristic of an assembly of priests, the Bill was lost—the Court possessing too much discretion in the midst of its political difficulties to involve itself in a theological quarrel. But the Presbyterians were not content with this odious victory over humanity and justice—for an Act subsequently passed, "for preserving the true Reformed Protestant Religion, and confirming Presbyterian Church-government and dicipline by Kirk-sessions, Presbyteries, Provincial Synods, and General Assemblies, as agreeable to the word of GOD, and the only government of Christ's Church within this Kingdom."

Kingdom." And in another Act introduced by the Duke of Argyle, ratifying the Acts of the former Parliament, it was declared high treaſon, by writing or ſpeaking, or any other open act or deed, to endeavor to alter or innovate the Claim of Right or any article thereof—and conſequently that which related to the eſtabliſhment of Preſbyterian Government in Scotland. It was ſtrongly objected, that the import of ſuch a general and peremptory clauſe would be of moſt dangerous conſequence; that it was calculated to enſnare the ſubject, and bind up the wiſdom of the Government and Nation itſelf in all ſucceeding ages from making ſuch alterations and reformations as in courſe of time, and by variation of circumſtances, ſhould be judged neceſſary. Moore of Stenywood ſaid "that the Shire of Aberdeen, which he had the honor to repreſent, was of the Epiſcopal perſuaſion —and he deſired to know whether, in caſe this Act ſhould paſs, his countrymen could addreſs the Sovereign or Parliament for a rectification of the preſent Eſtabliſhment, without incurring the penalties of high treaſon." To this Sir William Hamilton of Whitlow anſwered, "that the Act in contemplation did not indeed preclude addreſſing for a toleration; but he acknowledged, if it paſſed into a law, a declaration that the Preſbyterian Government was wrong, and that Epiſcopacy ought to be reſtored, would amount to high treaſon." The

queſtion for approving was at length carried in the affirmative, though ſixty members voted againſt it; amongſt whom, it is recorded to their honor, were ſeveral Preſbyterians: whilſt on the other hand the Miniſters and their dependents ſupported the meaſure—the Lords Athol and Tarbat excepted, who diſdained ſo diſgraceful a condeſcenſion.

After a long and tumultuous ſeſſion, the Lord Commiſſioner, full of chagrin and vexation, adjourned the Parliament to the 12th of October (1703). During the receſs, the Marquis of Athol was created a Duke, and Viſcount Tarbat Earl of Cromartie: with a view to prevent their total receſſion from the Court, which thus paid an involuntary homage to their firmneſs and ſincerity. At this period the Queen revived the antient Order of the Thiſtle, which King William, regarding ſuch diſtinctions with indifference or contempt, had ſuffered to fall into diſuſe; and the vanity of the Scottiſh Peerage was gratified in a mode which imagination may eaſily elevate to conſequence, and which is at leaſt unexpenſive and innocent.

After various prorogations, the Parliament of Scotland was again convened at Edinburgh July the 6th 1704; the Marquis of Tweeddale being appointed High Commiſſioner in the room of the Duke of Queenſberry, whoſe ambiguous policy had proved ſo unſucceſsful. The Royal Letter was framed in terms of remarkable temper and ability.

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"The main thing," ſaid her Majeſty, "that we recommend to you, and with all the earneſtneſs we are capable of, is the ſettling of the ſucceſſion in the Proteſtant line, as that which is abſolutely neceſſary for your own peace and happineſs, as well as our quiet and ſecurity in all our dominions, and for the reputation of our affairs abroad, and conſequently for the ſtrengthening the Proteſtant intereſt every where. This has been our fixed judgment and reſolution ever ſince we came to the Crown; and though hitherto opportunities have not anſwered our intentions, matters are now come to that paſs, by the undoubted evidence of the deſigns of our enemies, that a longer delay of ſettling the ſucceſſion in the Proteſtant line may have very dangerous conſequences: and a diſappointment of it would infallibly make that our Kingdom the ſeat of war, and expoſe it to devaſtation and ruin. As to the terms and conditions of Government, with regard to the ſucceſſor, we have empowered our Commiſſioner to give the royal aſſent to whatever can in reaſon be demanded, and is in our power to grant, for ſecuring the ſovereignty and liberties of that our antient Kingdom."

No ſooner had the ſeſſion commenced, than the Duke of Hamilton, leader of the Jacobite party, preſented a reſolve, "that this Parliament would not proceed to name a ſucceſſor to the Crown until the Scots had a previous treaty with England in

relation to commerce and other concerns." This was ſupported by all the eloquence of the celebrated Fletcher of Saltoun, head of the Republicans, who repreſented with great ardor and animation the hardſhips and miſeries which the Scots had ſuffered ſince the union of the two Crowns; and the impoſſibility of meliorating their condition without adopting meaſures to diſſolve a connection which had proved ſo fatal. The reſolution of the Duke of Hamilton, modified and combined with a motion of the Earl of Rothes, "that the Parliament would immediately proceed to make ſuch limitations and conditions as might be judged proper for rectifying the Conſtitution, and vindicating the ſovereignty and independency of the Nation," was then carried by a great majority. The former Act of Security was immediately and unanimouſly revived; and a ſupply granted for two months' ceſs only, at the end of which term it was well underſtood that the Act muſt receive the royal aſſent, or the army be diſbanded for want of pay. The former of theſe unpleaſant alternatives being regarded as the leaſt of the two evils, a letter was written to the Queen, ſigned by all the Miniſters in Scotland, ſtating and balancing the arguments on both ſides, and concluding with their humble advice to paſs the Bill. Thus was the Lord Treaſurer Godolphin, on whoſe counſel the Queen relied, reduced to a moſt perplexing dilemma. He

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ſaw that the ill conſequences of breaking the army and laying the Kingdom open to an invaſion, would be imputed to him, if, in contradiction to the opinion of the Scottiſh Miniſters, he ſhould adviſe the Queen to reject the Bill. And he well knew the obloquy and reproach he ſhould incur in England by adviſing to paſs a Bill of a complexion ſo dangerous and hoſtile. Upon the whole, he thought it ſafeſt for the Queen to conform to the counſels of the Scottiſh Miniſtry; and orders were accordingly ſent to the Marquis of Tweeddale, agreeably to the dignified and gracious mode of ſignifying the royal aſſent in that Kingdom, to touch the Act with the ſceptre. The ſupplies were immediately granted, and the Lord Commiſſioner haſtened to prorogue the Parliament, Auguſt the 27th 1704. After the receſs, the Marquis of Tweeddale was advanced to the Chancellorſhip; the Earl of Rothes appointed Lord Privy Seal; the Earl of Selkirk brought into the Treaſury; and various other alterations made, conſonant to the aſcendency which the Whig intereſt began at this time to acquire in England*.

The Parliament of England being convened October the 29th 1704, the Queen expreſſed her hope, "that they were come together, diſpoſed to do every thing that was neceſſary for the effectual proſecution of the war." The adverſe diſ-

* Tindal, Burnet, Lockhart, Macpherſon, Dalrymple, &c.

poſition

poſition of the two Houſes appeared conſpicuous in the different ſtrain of their Addreſſes; the Lords paſſing invidiouſly over the naval ſucceſſes of Sir George Rooke, the hero of the Tories, and the Commons affecting to place the ſucceſſes in the Mediterranean, and the indeciſive battle off Malaga, upon a level with the glorious exploits of Schellenburg and Bleinheim.

Notwithſtanding all the endeavors of the Miniſters to engage the High Church party to reſtrain their zeal, Mr. Bromley in a ſhort time moved the Houſe to bring in a Bill againſt Occaſional Conformity. The Courtiers now declared openly againſt the meaſure, and Mr. Boyle, Chancellor of the Exchequer, ſpoke ſtrenuouſly in oppoſition to it: the motion was nevertheleſs carried in the affirmative, and a Bill introduced, framed on principles and enforced by penalties as low and moderate as poſſible, in order to give it a chance of ſucceſs. But the vigorous ſtruggle made againſt it even in he Houſe of Commons, ſufficiently indicated the hopeleſſneſs of its paſſing through the Lords. It was therefore determined, by the patrons of the meaſure, to annex it by way of *tack* to the Land-tax Bill. And Mr. Bromley urged, "that the practice of Occaſional Conformity was ſuch a ſcandalous hypocriſy as could be excuſed upon no pretence whatever—that the Church ſeemed in as much danger from the Diſſenters at this time, as it was

from

from the Papiſts when the Teſt Act paſſed—that the Bill in queſtion being ſo neceſſary, and having been twice refuſed in the Houſe of Lords, the only way to have it paſs, was to tack it to a Money Bill. This," he ſaid, "was an antient practice, and highly reaſonable; for by this expedient, while grievous taxes were laid on the ſubject for the ſupport of the Crown, the Crown in return was neceſſitated to paſs ſuch laws as were for the benefit of the people." A violent debate enſued, and both parties exerted their utmoſt ſtrength. Thoſe who oppoſed the *tacking* maintained, that ſuch a practice led to a change of the whole Conſtitution, and was in effect converting the Government from a mixed Monarchy into a pure Democracy—denying both to the Lords and to the Crown the free uſe of their negative in the Legiſlature. Upon a diviſion, the *tack* was rejected by a majority of 251 againſt 134 voices. The Bill was therefore in its ſeparate form ſent up to the Lords December the 14th 1704, and the next day read for the firſt time. On the queſtion for the ſecond reading, the Queen being preſent, the old ground was again traverſed, and it was at length carried in the negative by 71 to 50 voices, including proxies.

The attention of the Houſe was ſoon transferred to a ſubject of much higher importance—the tranſactions of the Scottiſh Parliament during their laſt ſeſſion. And the diſcontented party, both

Whigs

Whigs and Tories, were loud in their exclamations againſt the Engliſh Miniſtry, by whoſe criminal ſupineneſs, or perhaps connivance, ſuch fatal meaſures had been ſuffered to paſs. Lord Haverſham, a Whig out of place and out of humor, obſerved, "that, although the ſucceſſion to the Crown in the Proteſtant line was the main thing recommended in the Royal Letter, yet it was ſo poſtponed and baffled that it came to nothing, partly from the weakneſs of the Miniſters, and partly from a received opinion that the ſucceſſion itſelf was never ſincerely and cordially intended. At the opening of the ſeſſion, the Secretary of State had made extraordinary diſtinctions between the ſecret and revealed will of the Sovereign: and upon the 4th *ſederunt*, a motion was made for a Bill of Excluſion —virtually ſuch, though it bore the title of an Act of Security. Is it poſſible, that thoſe who adviſed the paſſing of ſuch a Bill could ever be really friends to the Proteſtant Settlement? Who can anſwer for the conſequences of ſuch a ſtate of things? It is an apophthegm of Lord Bacon, 'Let men beware how they neglect or ſuffer matter of trouble to be prepared, for no man can forbid the ſparks that may ſet all on fire." Lord Wharton practiſed on the political terrors of Godolphin, by openly boaſting, "that, ſince the Act of Security paſſed, he had the Treaſurer's head in a bag." The Earls of Nottingham and Rocheſter ſeconded with

with great energy the cenſures of Lord Haverſham. It being ſaid, that the Act of Security was granted to prevent the danger of a rebellion; a clauſe was pointed out in the Act, by which the Scottiſh Peers and Chieftains were authoriſed to arm and diſcipline their vaſſals; and it was remarked, that, if the Scots had rebelled before the paſſing of this Act, they would have rebelled without the means of ſupporting their rebellion; but now they were furniſhed both with incitement and ſanction for reſiſtance. The Houſe appeared much agitated and inflamed; and though Lord Godolphin's friends were too numerous to ſuffer a direct vote of cenſure to paſs, they agreed to a variety of reſolutions, which ſufficiently indicated the general reſentment and apprehenſion. "Firſt, that the Queen be enabled by Act of Parliament to nominate Commiſſioners, the former Commiſſion having expired, to treat concerning an union with Scotland. 2dly, That the natives of Scotland ſhould not enjoy the privileges of Engliſhmen, until an union be effected, or the ſucceſſion ſettled as in England. 3dly, That the bringing of cattle from Scotland into England be prevented. 4thly, That the Lord High Admiral be required to iſſue orders for capturing ſuch Scottiſh veſſels as ſhall be found trading to the ports of France, or any other of her Majeſty's enemies. 5thly, That the exportation of Engliſh wool into Scotland be prohibited." Their

Lordſhips

Lordſhips alſo preſented an Addreſs to the Queen, deſiring that ſpeedy and effectual orders might be given for putting the town of Newcaſtle in a ſtate of defence, and likewiſe for ſecuring the port of Tinmouth, and for repairing the fortifications of Carliſle and Hull. They alſo beſought her Majeſty to cauſe the militia of the four northern counties to be diſciplined and provided with arms and ammunition, and a competent number of regular troops to be ſtationed upon the borders. To all theſe particulars the Queen expreſſed her ready aſſent; and the courſe of things ſeemed rapidly tending to open hoſtility and war. A Bill founded upon the reſolutions of the Lords being framed, was in a ſhort time ſent down to the Commons, who, though not leſs enraged, ſcrupled to paſs it, under the faſtidious notion of its being a Money Bill, in conſequence of the pecuniary penalties engrafted in it; but they forthwith framed a Bill of their own, nearly ſimilar, which they tranſmitted to the Lords:—the chief amendments were the prohibition of Scottiſh linen into England or Ireland—and the permiſſion to the Proteſtant freeholders of the ſix northern counties to furniſh themſelves with arms. The Lords paſſed the Bill without delay or difficulty, and on the following Chriſtmas-day 1705 it was to take effect. Lord Godolphin now found himſelf in a very critical ſituation: the Act of Security was to him an act of

peril

peril and of danger. On the first passing of it, Lord Stair went with all expedition to London, and told the Lord Treasurer that he was on the brink of a precipice, and the two countries on that of a civil war. This he now found alarmingly verified; and from this moment, forgetful of his Jacobitical principles, he determined to exert himself vigorously and effectually to accomplish the great work of a union of the British Kingdoms.

In consequence of an Address of the House of Commons, beseeching the Queen to consider of some proper means to perpetuate the memory of the great services performed by the Duke of Marlborough; she declared her resolution to bestow upon his Grace the honor of Woodstock, with the parks and manors appertaining thereto, where a magnificent palace was erected at the public expence, to which the name of Bleinheim House was given, in commemoration of the glorious victory gained at that place.

During this session an enquiry took place in the House of Lords relative to the mismanagements in the Navy and Admiralty departments; which were chiefly under the direction of Sir George Rooke, an officer of undoubted skill and courage, but strongly attached to the Tories, upon which account the House of Commons had with a too partial indulgence passed over all neglects. Twenty-two vessels were employed in cruising with so little success, that

that three ſhips, commanded by diligent officers, might have performed more; as was proved by a ſort of numerical calculation. Even treachery was ſuſpected; for a French privateer being captured, inſtructions were found on board, ſo exactly quadrating with the orders iſſued by the Admiralty, as to preclude the ſuppoſition of accidental co-incidence. An elaborate repreſentation was preſented by the Lords to the Queen, on theſe and other heads of miſconduct; and the Whig intereſt having now obtained the aſcendency at Court, Sir George Rooke, whom the voice of faction had raiſed to an invidious rivalſhip with Marlborough, was diſmiſſed from his offices, and Sir Cloudeſley Shovel appointed to the command of the fleet.

This Parliament is diſtinguiſhed in the Engliſh annals by the perpetual miſunderſtandings which prevailed between the two Houſes. At the laſt General Election, the vote of one Aſhby, an inhabitant of the borough of Ayleſbury, being rejected by White, the returning officer; he had the ſpirit and reſolution to commence an action at common law againſt White, for illegally depriving him of his franchiſe; and obtained a verdict for damages at the enſuing aſſiſes for the county of Bucks. The Court of Queen's Bench, however, being moved to quaſh all proceeding in this matter, as contrary to the privileges of the Houſe of Commons; the three Puiſne Judges were of opinion,

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nion, "that the verdict could not be ſuſtained." But that great and upright Magiſtrate, Lord Chief Juſtice Holt, at this time preſiding in the Court, declared in the moſt deciſive terms, "that the verdict was both legal and juſt—that, though the Houſe of Commons poſſeſſed a ſeparate and independent juriſdiction, agreeably to the Conſtitution of Parliament, ſo far as to determine, in caſe of appeal, which of the different candidates were duly elected; yet, their authority did not ſuperſede the common courſe of judicial proceedings in the Courts ſitting at Weſtminſter, which founded their deciſion on the known laws of the land and the evidence which came regularly and properly before them; and which neither could nor would take cognizance of the proceedings of the Houſe of Commons, nor of the grounds of their proceedings. Where a legal right exiſted, and ſuch," ſaid this able Magiſtrate, "is the franchiſe of an elector, the law, of which the Courts of Juſtice are the ſole diſpenſers, will protect him in the enjoyment of that right. That the Houſe of Commons were not competent to decide judicially, though they might be occaſionally compelled to exerciſe their diſcretion in caſes of this nature, evidently appeared from their utter inability to grant redreſs, whatever might be the magnitude of the injury ſuſtained. If this exorbitant claim were once eſtabliſhed, the ſubject might be deprived of his deareſt right, by

the mere arbitrary will and pleaſure of the Houſe of Commons, the moſt flagrant abuſes of power might be committed with impunity, nay, with applauſe and triumph, by men holding public offices, who were thus placed beyond the reach of the arm of public juſtice; and, by a monſtrous ſoleciſm in legiſlation and juriſprudence, an acknowledged and invaluable right might be groſsly and openly violated, and the injured party remain wholly deſtitute of any legal or regular means of reparation or redreſs." The verdict, notwithſtanding theſe cogent reaſons, was however reverſed: but the cauſe was by writ of error immediately brought before the Houſe of Lords; who, after requiring the opinions of the twelve Judges, and debating the matter at great length and with great ability, determined almoſt unanimouſly to ſuperſede the judgment pronounced in the Queen's Bench, and to affirm the verdict originally given at the County aſſizes.

The Houſe of Commons, enraged at theſe proceedings, declared by a vote of the Houſe, "that Matthew Aſhby having, in contempt of the juriſdiction of that Houſe, commenced and proſecuted an action at common law againſt William White for not receiving his vote at an election for burgeſſes to ſerve in Parliament for the borough of Ayleſbury was guilty of an high breach of the privileges of that Houſe—and that all Attorneys, Solicitors, Counſellors, and Serjeants at law, ſoliciting,

ing, profecuting or pleading in any ſuch cauſe, were guilty of an high breach of the privileges of that Houſe." And they ordered theſe reſolutions, ſigned by the Clerk of the Houſe, to be affixed to Weſtminſter-Hall gate. So far, however, was the intrepid Magiſtrate at the head of the Law from being intimidated by this imperious language, that he is ſaid publicly to have declared, "that if any Meſſenger of the Houſe of Commons preſumed to enter that Hall, in order to ſeize the perſon of any Attorney or Pleader by virtue of this warrant, he would immediately commit him to Newgate." The Houſe of Lords, on their part, paſſed votes juſtificatory of their own conduct; copies of which were tranſmitted to all Sheriffs and Borough-Reeves throughout the Kingdom. The Commons, finding the general voice of the People declare ſtrongly in favor of their antagoniſts, ſeemed diſpoſed to let it reſt in its preſent ſtate; and the judgment of the Lords was duly and regularly executed. Upon which five other inhabitants of the borough of Ayleſbury brought their ſeveral actions for damages upon the ſame grounds. This threw the Houſe of Commons into a new ferment; and by their own authority they committed theſe five men to priſon, where they lay three months, without however offering to make any ſubmiſſion. After the Money Bills were paſſed by the Commons, and not till then, a motion being made in the Queen's

Bench, in behalf of the priſoners, for a *habeas corpus*, the Puiſne Judges declared themſelves of opinion as before, "that the Court could take no cognizance of the matter." But the Chief Juſtice, "a man inflexible to ill, and obſtinately juſt," maintained that a general warrant of commitment for breach of privilege was of the nature of an execution; and as it appeared upon the face of the warrant itſelf, that the priſoners had been guilty of no legal offence, unleſs to claim the benefit of the law in oppoſition to a vote of the Houſe of Commons was ſuch, it was his opinion that they ought inſtantly to be diſcharged. This opinion, however, not availing in oppoſition to that of the majority of the Bench, the priſoners were remanded; in conſequence of which they moved for a writ of error, to bring the matter before the Lords. As this, agreeably to the forms of law, could only be obtained by petition to the Crown, the Commons preſented an Addreſs to the Queen, humbly requeſting her Majeſty, that the writ of error might not be granted; and they alſo took upon them to affirm, "that in this caſe no writ of error could lie." To this Addreſs the Queen with great moderation and prudence replied, "that ſhe hoped never to give her faithful Commons any juſt ground of complaint; but to obſtruct the courſe of judicial proceedings was a matter of ſuch importance, that ſhe thought it neceſſary to weigh and conſider carefully

carefully what it might be proper for her to do." The Commons received this anſwer in ſullen ſilence, and immediately ordered the priſoners to be removed from Newgate into the cuſtody of their Serjeant at Arms, leſt they ſhould be diſcharged in conſequence of the Queen's granting a writ of error. They likewiſe reſolved, that the Lawyers who had pleaded in behalf of the priſoners on return of the *habeas corpus* were guilty of a breach of privilege; and ordered them to be taken into cuſtody. The Lords upon this voted, "that for ſubjects to claim their juſt rights in a courſe of law, was no breach of privilege—that the impriſonment of the men of Aylesbury was contrary to law—and that the writ of error could not be refuſed, without a violation of MAGNA CHARTA." This was followed by an Addreſs to the Queen, humbly beſeeching her Majeſty to give immediate orders for iſſuing the writ of error. The Judges, moreover, now happily recovering from their terrors, ventured to decide "that a petition for a writ of error was a petition of right, and not of grace." And the Queen was pleaſed in the moſt condeſcending terms to reply to this Addreſs, "that ſhe would certainly have complied with their Lordſhips' requeſt in regard to the writ of error, but that, as it now became neceſſary to put an end to the ſeſſion, ſhe knew it could produce no effect." The Lords, conſidering this as a decided victory,

immediately returned their humble thanks to her Majeſty for this inſtance of her Majeſty's regard for the legal and impartial adminiſtration of public juſtice. And the Queen that very day, March the 14th, put an end to the ſeſſion; and on the 5th of April following (1705) the Parliament was diſſolved by proclamation. "It was no ſmall bleſſing," ſays Biſhop Burnet, "to the Queen and to the Nation, that they got well out of ſuch hands." And it muſt indeed be acknowledged, that the violence and malignity manifeſted in their public conduct were productive of much leſs evil than might reaſonably be apprehended.

It is a queſtion of curioſity rather than of utility, how far the Lords Godolphin and Marlborough adhered, after their acceſſion to power, to their political attachments in favor of the exiled family. From the æra of the Aſſaſſination Plot in 1696, and more eſpecially from the termination of the war by the treaty of Ryſwick (A. D. 1697), the correſpondence of the Jacobite party with the Court of St. Germaine's ſeems almoſt to have ceaſed, or, where it was continued, to have dwindled into a mere matter of compliment and ceremony. The Lords Godolphin and Marlborough were amongſt thoſe who did not entirely drop the connection. Very ſoon after the acceſſion of the Queen, Lord Caryl, a nobleman occupying a diſtinguiſhed ſtation at St. Germaine's, in a letter dated April the

26th 1702, to the Sieur Berry, a confidential agent in England, who had free acceſs to thoſe Lords, deſires "that a fair correſpondence with them may be preſerved, that ſo they may have no excuſe ſhould they not be juſt in their engagements when time and opportunity ſerve." Auguſt the 21ſt, Lord Caryl, writing to Berry, ſays, "Your late conference with Godolphin doth in a good meaſure clear the ſuſpicion of his and his party's being joined with Hanover."—In December he writes, "that Marlborough as well as Godolphin muſt neceſſarily be treated with about this;" i. e. the reſtoration of the King—"and the great queſtion will be, what better ſecurity they will or can give for the performance of this new agreement, than they gave for the former, for which we had promiſes and oaths."—March 1703, Lord Caryl ſays: "I do not wonder that Marlborough comes ſo little in your ſight: I believe his former engagements, to which you are a witneſs, ſo ill performed by him, make his meeting with you uneaſy to him."—May 1704: "Your laſt gives fair hopes—I rely much upon your judgment in this matter, and ſhall always hope the beſt, though, to tell you truly, I cannot well ſee how his promiſes can be much ſtronger or more binding now, than they were many years ago, when they proved ineffectual.—If you receive the ſame ſatisfaction when you meet with Godolphin, it will give a more promiſing face

to the buſineſs; for that *partner* is not ſo free of his promiſes as Marlborough has been, and conſequently not ſo much to be ſuſpected of non-performance."—July 1704: "Concerning Marlborough we need ſay no more—but reſpite our judgment till we ſee farther proceedings of him and his.——Some prognoſtic may be made of what we can expect, by the countenance and expreſſions of Godolphin when you next meet him—If they are any thing of a piece with what Marlborough, hath ſaid to you, we may hope well of him; but if you find him in his noted ſourneſs and dryneſs, we may conclude the words of his *partner* are but words." And, not to multiply quotations, in his letter of April the 25th following (1705), he writes thus:—"What you ſay to me concerning what paſſed in your laſt meeting with Marlborough, though it be but a repetition of what I formerly heard, I confeſs is very ſurpriſing; for very few men will lie only for lying's ſake.—It would be very ſtrange if he ſhould make ſuch promiſes and proteſtations without performing them. On the other ſide, words are but wind, when they are not followed by deeds—According to all outward appearances, he and his *partners* drive on violently for the intereſt of Hanover *."

* Macpherſon's Papers, vol. i. It muſt be remarked that the names in the original letters are varied and fictitious, though fixed, by the ſenſe and connection, beyond all poſſibility of doubt or diſpute.

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Upon the whole, if Lord Godolphin was leſs laviſh of his proteſtations than Marlborough, the reality of his attachment appears to have been proportionably greater. He perhaps thought that the Kingdom would never attain to any permanent ſettlement without a reſtoration of the baniſhed family; and he would readily and even joyfully have concurred in any rational ſcheme for the accompliſhment of that event. But his clear and excellent underſtanding prevented his embarking in any wild or romantic projects. He ſuffered himſelf to be guided and influenced by the courſe of events, and he would neither riſque his own ſafety, nor ſacrifice the actual peace and proſperity of the Kingdom, in the purſuit of a remote and chimerical object. As to the Earl of Marlborough, candour itſelf muſt acknowledge he was apparently governed by motives almoſt wholly ſelfiſh and ambitious.

During the political conflicts which agitated the Scottiſh Parliament, the intrigues of the Court of St. Germaine's with the leaders of the malecontents were carefully kept up. In a draught of inſtructions for Captain Murray, a dextrous agent of the exiled family, going in the ſpring of 1703 into Scotland, he is ordered to aſſure the Duke of Hamilton of the great ſenſe entertained of his ſervices, and to deſire him and his friends to uſe all their credit in oppoſing "Abjuration, Hanover, and

and Union;" which laſt is ſtyled "a mere trick to delude and engage them to perpetuate an uſurpation, and all the miſeries that attended ſuch a manifeſt injuſtice." On the return of Murray from Scotland in the ſucceeding year, he repreſented in a Memorial addreſſed to the Queen Regent the great things that had been done in conſequence of his miſſion. "It was," as he boaſts, "by means of the inſtructions tranſmitted by him, that the power which had been given to the Commiſſioners to treat about the Union was declared to be expired, that the Hanoverian ſucceſſion was rejected, and that the Bill for the Abjuration was not even propoſed in Parliament.—He declares that the Duke of Hamilton had ſo far engaged the Lords Athol, Tarbat, and Seafield in his meaſures, that they reſolved to repreſent to the Princeſs of Denmark the neceſſity of yielding theſe three points; after which it was not doubted but ſhe might be prevailed upon in due time to make ſome treaty in favor of the King her brother—or, if ſhe perſiſted in her refuſal, there was room to believe that the Country party would make ſome declaration, or undertake ſome enterpriſe, in favor of *his Britannic Majeſty*.—He reports alſo to the Queen a demand of the Duke of Hamilton for the ſum of 25,000l. to enable him to maintain his credit and ſtrengthen his party." By authentic documents it appears that the Duke of Gordon,

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the Marquis of Montroſe, the Earls of Errol, Mareſchal, Moray, Hume, &c. &c. were ready, whenever called upon, to riſe in arms, upon condition of being aſſiſted by 5000 regular troops from France. All the oppoſition to be met with in England, as they affirmed, would be a few new-raiſed troops diſperſed in diſtant forts, with a weak Princeſs, a very timid Miniſter, and a very mercenary General; who might then think of performing their promiſes, in order to deſerve their pardon *." Well appriſed doubtleſs of theſe machinations, Lord Godolphin could no longer preſerve an ambiguous or neutral conduct. He was compelled to take a deciſive part in oppoſition to them by every motive of private intereſt and public ſafety, and, by accompliſhing the Union of the two Kingdoms, for ever to extinguiſh the hopes of that unfortunate family, by whoſe partiality from an obſcure origin he had attained to his preſent exalted heighth of power and greatneſs.

Early in April 1705 the Duke of Marlborough again paſſed into Holland. He had now formed a real intention to execute the project reſpecting which the French were ſo needleſsly apprehenſive the preceding year, viz. to penetrate into France on the ſide of the Moſelle. Prince Louis of Baden, who commanded the army of the Empire, and upon whoſe co-operation the ſucceſs of the

* Macpherſon's Papers, vol. i. p. 666—682.

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project depended, on being conſulted in the winter, expreſſed his entire approbation of it. But when all things were in readineſs for opening the campaign, he ſent an expreſs to the Duke, ſignifying his inability, on account of ill health and the weakneſs of his army, to fulfil his engagements. The Engliſh Commander, who had already begun his march, proceeded in perſon as far as Raſtadt in order to confer with the Prince, who at length and with much difficulty conſented to reſume the original plan of operations. M. Villars, who commanded the French army on the Moſelle, at the approach of the Allies encamped in an inacceſſible ſituation at Conings-macheren, leaving by this means the way open to Saar Louis, which the Duke propoſed to beſiege. But after waiting in vain ſeveral ſucceſſive weeks for the expected junction of the Germans, his Grace received advice that the Prince of Baden was gone much indiſpoſed to the baths of Schwalbach, and that neither horſes nor artillery were provided. At the ſame time he had intelligence of the loſs of Huy, and that the Elector of Bavaria and M. Villeroi had actually inveſted the city of Liege. The Duke, perceiving his ſchemes thus rendered abortive, reſolved in a council of war immediately to march back to the Maeſe, not without ſtrong expreſſions of reſentment againſt the Prince of Baden, who was believed to view the glorious ſucceſſes of the Duke

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in the laſt campaign with malignant and envious eyes, and whoſe conduct was ſuch as even to expoſe him to the ſuſpicion and imputation of treachery—though probably without any juſt foundation.

On the arrival of the Engliſh General, the face of affairs was immediately changed in the Netherlands. He not only compelled the enemy to raiſe the ſiege of Liege, and with little difficulty re-captured Huy; but attacking the French, who had retired within their lines, forced them in their entrenchments near Tirlemont, with the greateſt vigor and ſucceſs. But the Marechal retreating to the ſtrong camp of Parke near Louvaine, the Field Deputies of the States poſitively refuſed to concur with the propoſal of the Duke to hazard a general engagement with the enemy occupying that advantageous poſition. On which his Grace wrote a warm expoſtulatory letter to their High Mightineſſes, complaining how much leſs he found his authority in Flanders, than when he had the honor of commanding their troops the laſt year in Germany. In conſequence of this remonſtrance, General Schlangenburg, to whoſe advice the refractory conduct of the Field Deputies was attributed, received his diſmiſſion from the ſervice. The projects of the Duke being thus defeated both in Germany and Flanders, he was obliged to content himſelf with the conqueſt of the petty fortreſs of

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Sout Leuwe, ſituated in a moraſs contiguous to the river Gheet, and Santvliet a place in Flanders of no great conſequence. In the mean time the Elector of Bavaria ſurpriſed and carried by a *coup de main* the town of Dieſt—making the garriſon priſoners of war; and thus ended the campaign in the Netherlands.

The operations on the Moſelle and the Rhine, after the retreat of the Duke of Marlborough, were of inconſiderable moment. M. Villars, on the one hand, made himſelf maſter of Croon Weiſſenburg, and Homburg; which the Prince of Baden, on the other, revenged by paſſing the Rhine and forcing the poſts of Druſenheim and Haguenau in Alſace; which enabled the Germans to ſecure their quarters, during the winter, on the French ſide of the Rhine.

In the month of May this year (1705) died the Emperor Leopold, who had experienced, during his long reign, very frequent and wonderful viciſſitudes of fortune. He was ſucceeded by his ſon Joſeph King of the Romans, who inherited, with the Imperial diadem, all his father's weakneſs, pride, bigotry, and hatred of hereſy. The Duke of Marlborough, with whom the new Emperor declared himſelf deſirous to confer, arrived at Vienna November 12 (1705), where he was received with the higheſt diſtinction, and inveſted with the high dignity of a Prince of the Empire—the Lordſhip

of

of Mindelheim, in the Circle of Suabia, being erected into a principality, and aſſigned to him in reward of his great ſervices. He then viſited the Courts of Berlin and Hanover, as in the preceding year, and arrived in London on the 30th of December 1705.

Prince Eugene, who commanded this year in Italy, had to encounter with great difficulties from the congenial talents and ſuperior force of his antagoniſt the Duc de Vendome. A well fought but indeciſive engagement took place between theſe great Generals at Cuſano, where the Prince had indeed the honor of keeping the field, but M. Vendome ſeemed to reap the fruit of the battle. Nice was reduced by the end of the year, and the Duke of Savoy had now no conſiderable places remaining to him but Coni and Turin; and his reſolution to adhere to the Grand Alliance in defiance of fortune, ſeemed, to the aſtoniſhment of all who recollected his former verſatility, not only unſhaken but dignified and heroic.

The campaign in Portugal had an auſpicious commencement: for, the ſiege and vigorous defence of Gibraltar cauſing a great diverſion of the Spaniſh arms, afforded the Portugueſe an opportunity of penetrating the Spaniſh frontier; and ſomething of the ſpirit of enterpriſe appeared, notwithſtanding the indiſpoſition of the King; during which the Queen of England, dowager of Charles II.

who had returned to Portugal ſoon after the Revolution, was entruſted with the regency of the kingdom. The Allied troops, under the Conde das Galveas and the Earl of Galway, taking the field in the month of April 1705, reduced the towns of Alcantara and Albuquerque on the ſide of Alentejo; and on that of Beira, the Marquis das Minas beſieged and captured the town of Salva-terra, and plundered and deſtroyed Sarca, which was abandoned by the enemy at his approach; after which both armies during the ſummer heats went into quarters of refreſhment. In the beginning of October the combined armies, again taking the field under the ſame commanders, inveſted with their joint forces the city of Badajoz, the ſiege of which was for ſome time carried on with every appearance of ſucceſs. But, on the 11th of October, a bomb, unfortunately falling on one of the batteries, blew up the magazine of powder, with ſeveral of the gunners. And as, according to the vulgar obſervation, misfortunes rarely come ſingle, the Earl of Galway, haſtening to the ſpot to give the neceſſary directions, expoſed himſelf to the fire of a fort, a random ſhot from which ſtruck off his right hand ſomewhat above the wriſt. The Earl being compelled to quit the camp, the conduct of the ſiege was entruſted to Baron Fagel, the General of the Dutch troops. But in a ſhort time Marechal de Teſſé appearing unexpectedly at the head of a

conſiderable body of forces, the Confederates thought proper to raiſe the ſiege, not without ſome degree of precipitation and loſs.

Towards the end of June, the Engliſh fleet, with a large reinforcement of troops on board, under the command of Sir Cloudeſley Shovel and the Earl of Peterborough, had arrived at Liſbon; and the Prince of Heſſe, who on the relief of Gibraltar had repaired alſo to that metropolis, giving to the Archduke, ſtyling himſelf King Charles III. the moſt poſitive aſſurances of the favorable diſpoſition of Catalonia and Valencia, and being ſtrongly ſeconded by the Earl of Peterborough, a man of great but eccentric talents, who was actuated by the ſpirit of wild and romantic adventure, the Archduke declared his reſolution to try his fortune in that part of Spain. The whole armament, having on board nineteen battalions of infantry and 1300 horſe, with a good train of artillery, arrived in the bay of Barcelona Auguſt 22 (1705), where a landing was effected amid the acclamation of the Catalans. A determination was taken in a council of war, immediately to lay ſiege to the city of Barcelona, though defended by a numerous garriſon, and the force of the Allies was to appearance utterly inadequate to ſo hazardous an enterpriſe. But the principal dependance was on the known diſaffection of the inhabitants to the exiſting Government. Deſerters came daily from the town,

who brought them much uſeful intelligence: the moſt important article was, that Fort Monjuic, a caſtle of great ſtrength, ſituated on the heights which in a great meaſure commanded the town, was very ill guarded, under the idea that it was in no danger of attack. A reſolution was immediately taken to attempt it by a *coup de main*. The Prince of Heſſe and the Earl of Peterborough, putting themſelves at the head of a choſen body of troops, after a nocturnal and circuitous march attained to the ſummit of the hill at break of day, September the 7th. At the firſt onſet the Prince of Heſſe, an officer of extraordinary military ſkill and gallantry, fell mortally wounded. But the Earl continued the aſſault with little proſpect of ſucceſs, till, the magazine of powder by ſome accident ſuddenly blowing up, the Governor in conſternation ſurrendered the fort. The city was now attacked with great advantage and increaſe of vigor on the part of the beſiegers; and on the 9th of October the Governor, Don Franciſco de Velaſco, conſented to capitulate; and the garriſon was allowed to march out with all the honors of war.

No ſooner was the ſurrender of Barcelona known, than the whole province of Catalonia, the town of of Roſes excepted, declared in favor of King Charles III. The kingdom of Valencia, including its capital of the ſame name, rapidly followed the example of Catalonia; Alicant alone retaining its allegiance

allegiance to King Philip: and the victors ſtood aſtoniſhed at their own extraordinary and unexpected ſucceſs. But the Conde de las Torres, a Spaniſh officer of great merit, entering Valencia at the head of a conſiderable army, the kingdom ſeemed in danger of being loſt as quickly as it was won. The Earl of Peterborough, marching to its relief with a very inferior force, raiſed the ſiege of St. Mattheo in eight days from his departure from Barcelona, though above thirty leagues diſtant, diſtinguiſhing himſelf by a ſeries of the moſt daring and heroic actions; and after ſurmounting innumerable difficulties, and ſuſtaining incredible fatigues, he at length made a triumphant entry into Valencia.

The new Parliament met at Weſtminſter October the 25th 1705. Of 513 Members, 457 were preſent at the choice of a Speaker. The Court declared for Mr. Smith, who had occupied the poſt of Chancellor of the Exchequer in the late reign, a man of excellent underſtanding, of conſiderable parliamentary talents, and of great integrity and moderation. The Tories, now in avowed oppoſition to the Court, nominated Mr. Bromley, Member for the Univerſity of Oxford. On the diviſion, Mr. Smith carried it by 250 to 207 voices—ſo that it clearly appeared, to the great joy of the Nation in general, that a Whig Parliament was elected. Some months previous to the meeting of the new

Parliament, the Duke of Buckingham was diſmiſſed from his office of Lord Privy Seal, which was conferred upon the Duke of Newcaſtle; and more recently the Great Seal was taken from Sir Nathan Wright Lord Keeper, and given under the ſame appellation to William Cowper, ſoon after created Lord Cowper—a Lawyer very eminent in his profeſſion, an eloquent and graceful orator, and zealouſly attached to the Whig principles of 1688. The Speech from the Throne, aſcribed to the new Lord Keeper, was much admired, and breathed the genuine ſpirit of liberty as modified by the opinions and prejudices of the times. The Queen declared her perſuaſion that the two Houſes were convinced of the neceſſity of proſecuting the juſt war in which they were engaged. She declared, "that nothing could be more evident than that, if the French King continued maſter of the Spaniſh Monarchy, the balance of power in Europe would be utterly deſtroyed—and ſhe affirmed there was great ground to hope that, by the bleſſing of GOD, a good foundation was laid for its reſtoration to the Houſe of Auſtria. She avowed her intention of appointing Commiſſioners to treat of a Union between the two Kingdoms, agreeably to the powers veſted in her by the Parliaments of England and Scotland. But ſhe ſaid, there was another union which ſhe thought herſelf obliged to recommend in the moſt earneſt and affectionate manner—

manner—an union of minds and affections amongſt ourſelves. She could not but with grief obſerve, there were thoſe who endeavored to foment animoſities, and ſome who were even malicious enough to ſuggeſt that the Church was in danger; and ſhe pronounced ſuch perſons to be enemies to her and the Nation, and that they could only mean to cover deſigns which they dared not publicly to own. She concluded with expreſſing her firm reſolution, affectionately to ſupport the Church by Law eſtabliſhed, and inviolably to maintain the Toleration—uſing all her endeavors to promote the eaſe and ſafety of her ſubjects, and to make them a flouriſhing and happy People." The Addreſſes were in the higheſt ſtrain of Loyalty and Whiggiſm; and the Tories, enraged to ſee the Queen withdrawing from them her confidence and favor, and the principles of Whiggiſm becoming thus prevalent and popular, determined to conform themſelves to the times, and to outdo the Whigs themſelves in their zeal for Liberty and Proteſtantiſm.

On the 15th of November, the Lords being in a Committee on the ſtate of the Nation, Lord Haverſham, after a long ſpeech expreſſive of his anxious concern for the ſafety of the Queen, the preſervation of the Conſtitution, and the ſecurity of the Church, moved, "that an humble Addreſs be preſented to her Majeſty, that her Majeſty will be graciouſly pleaſed to invite the preſumptive

heir to the Crown of England according to the Acts of Parliament made for ſettling the ſucceſſion to the Crown in the Proteſtant line, into this Kingdom, to reſide here. This was ſtrongly ſupported with great plauſibility of argument by the Duke of Buckingham, and the Earls of Nottingham and Rocheſter. They urged, "that they had ſworn to maintain the ſucceſſion; and there were no means ſo ſure to effect it, as to have the ſucceſſor upon the ſpot ready to aſſert and defend his right. It appeared through our whole hiſtory, that, in caſe of competition, whoever came firſt into England had always carried it.—And it was affirmed, that if the Archduke had been reſident in Spain at the demiſe of the late King, the preſent war would in all probability never have exiſted." By this motion the Tory party fancied they had reduced the Whigs to an exquiſite dilemma. If they oppoſed the motion, they would eſſentially injure their reputation in the view of the Nation at large, and of the Electoral Family in particular. If they acquieſced in it, they would loſe the favor of the Queen. But they extricated themſelves from this embarraſſment with great dexterity and felicity. They repreſented in forcible language the inconveniences and jealouſies which would ariſe from a rivalry between the two Courts; and they aſſerted the propriety of keeping the ſucceſſor in a ſtate of dependence upon the reigning Sovereign. The

Earl

Earl of Wharton declared, "that he had ever looked upon the Proteſtant Succeſſion as eſſential to the national liberty and happineſs; and it was to him a ſubject of deep regret, that there were ſo many who appeared to think differently. He had lately heard with an emotion of delight the Queen recommend from the throne union and agreement to all her ſubjects. It was now evident that there was a divinity about her when ſhe ſpoke. The cauſe was certainly ſupernatural, for we ſaw the miracle that was wrought by it. Now all were for the Proteſtant Succeſſion. He rejoiced in their converſion, and confeſſed it was a miracle. Like moſt other new converts, however, their zeal far exceeded their judgment and diſcretion. He commended the warmth they had diſplayed, though he could not adopt the propoſition they had offered." In lieu of a meaſure ſo replete with miſchief and danger, his Lordſhip moved for a Bill eſtabliſhing an eventual Council of Regency, which ſhould be empowered to act on the demiſe of the Queen, previous to the arrival of the ſucceſſor. And the Archbiſhop of Canterbury, the Lord Chancellor or Keeper, the Lord Preſident, the Lord Treaſurer, the Lord Privy Seal, the Lord High Admiral and the Lord Chief Juſtice of England, for the time being, were nominated for that high truſt. Beſides theſe, the ſucceſſor was authoriſed, by a clauſe of the Bill, to ſend over an inſtrument ſealed up,

containing the names of ſuch perſons as he thought proper to join in the ſame truſt as Co-regents. This Bill was received with great applauſe, and ſoon paſſed, with a trifling and diſgraceful oppoſition from the rival faction, into a law, to the great chagrin of the Tories, who found not only their own ſchemes entirely diſconcerted, but that the Whigs had taken the advantage of them to raiſe their credit not only with the Queen, but with the public, and even with the Electoral Family; who by another Act were endowed with all the privileges of naturalization, rendered yet more valuable, or at leaſt more honorable, by the ſingular diſtinction of its extending to all the deſcendants of the Princeſs Sophia whereſoever born.

The Queen was in perſon preſent at the debate, and expreſſed great indignation and amazement at the arguments made uſe of by the Tory Lords—who treated her royal perſon and authority with very little appearance of reſpect—the Duke of Buckingham even ſuppoſing the caſe of her falling into a ſtate of idiotiſm and dotage. It was upon this occaſion, as the Ducheſs of Marlborough informs us, that the Queen gave the firſt indications of any thing like a real reconcilement to the Whigs. "I believe," ſaid the Queen, in a letter to the Ducheſs, "that dear *Mrs. Freeman* and I ſhall not diſagree as we have formerly done: for I am ſenſible of the ſervices thoſe people have done me

me that you have a good opinion of, and will countenance them; and am thoroughly convinced of the malice and inſolence of them that you have always been ſpeaking againſt." And at this time it was that the Queen authoriſed Lord Godolphin to give aſſurances to the chief leaders of the Whigs that ſhe would put herſelf and her affairs into ſuch hands as they ſhould approve*.

It appears that the Princeſs Sophia, now 75 years of age, but unimpaired in health, vivacity and intellect, would have had no objection to accept an invitation from the Engliſh Nation to fix her reſidence in England—in which caſe it was underſtood that a royal appanage, and the title of *Princeſs* of Wales, would have been conferred upon her. The Earl of Halifax being ſent to Hanover with the two Acts of Regency and Naturalization, the Duke of Marlborough, and the Lords Cowper and Somers, &c. wrote letters to the Electoral Court, in vindication of their late conduct, which appear to have given complete ſatisfaction. The Electreſs declared herſelf "*charmed* to ſee the reſpect and affection ſhewn by the Parliament to her Majeſty." And Lord Somers very properly ſuggeſted, "that if the invitation had been aſſented to with reluctance on the part of the Queen, it might have given riſe to unkindneſſes which in the end might have proved very fatal."

* Conduct of the Ducheſs of Marlborough.

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The Queen having laid before the two Houſes the Addreſſes of the Scottiſh Parliament, expreſſive of their reſolution not to enter into any negotiation reſpecting a Union with England, until the Act declaring them aliens, &c. ſhould be repealed; a motion for that purpoſe was accordingly made, and unanimouſly acceded to; and the way was now clear for opening a treaty as ſoon as the Seſſion of Parliament ſhould terminate.

Much having been ſaid in the late debates relative to the *danger of the Church*, which was uſed by the Tories as the watch-word of the party, by which they ſtrove in this decline of their influence and popularity to awaken the fears and excite the paſſions of the people; Lord Halifax moved to appoint a day to enquire into the grounds of this pretended danger—when a moſt vehement debate took place. The Earl of Rocheſter affirmed that the danger of the Church aroſe from three cauſes: 1ſt. The Act of Security, by which Scotland, where Preſbytery was eſtabliſhed without a Toleration, was rendered very formidable and dangerous. 2dly, The Proteſtant heir not being reſident in the Kingdom—and 3dly, The not paſſing the Occaſional Conformity Bill. To this Lord Halifax replied, "that the Act of Security in Scotland was a national thing, wholly foreign to Church affairs—that, however inimical the Church or the Kingdom of Scotland might be ſuppoſed, England was

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at all times able to defend herſelf; and at preſent more ſo than at any former period—the ſtrength of England having increaſed ſince the union of the two Crowns, much more in proportion than that of Scotland; but that, by GOD's bleſſing, an entire union of the Britiſh Nations was ſoon likely to put an end to this ſource of danger. As to the Houſe of Hanover, he ſaid that was a danger but of eight days ſtanding; for a fortnight ago no one dreamed that the abſence of the Princeſs Sophia was cauſe of danger to the Church. With regard to the Occaſional Conformity Bill, that matter had been recently canvaſſed, and the opinion of the Houſe was already formed, that ſuch a bill would not prove of any advantage or ſecurity to the Church, but rather the reverſe. Upon the whole, his Lordſhip admitted that there had been times within their memory when the Church might be ſaid to be in danger:—that King Charles II. was ſtrongly ſuſpected, and his ſucceſſor was publicly known to be a Papiſt; and yet the Church did not then appear to be apprehenſive of danger. On the contrary, thoſe patriots who endeavored to keep out a Popiſh ſucceſſor were perſecuted and puniſhed. Nay, when that ſucceſſor came to the Crown, and the Clergy were menaced with the terrors of the High Commiſſion, the Noble Lord who now trembled for the ſafety of the Church was ſo far from being then alarmed, that he ſat as one of the

Judges

Judges in that very Court. But when King William, the great champion of the Proteſtant religion, acceded to the Crown, the cry of the Church's danger began—upon what ground it was hard to ſay. The clamor had ſubſided for a time in the early part of the Queen's reign; but, on ſome changes taking place in the Miniſtry, it was anew vociferated that the Church was in danger—an aſſertion as contrary to decency as to truth." On a diviſion, it was carried by a majority of 61 to 30 voices, "that the Church of England, as by Law eſtabliſhed, which was reſcued from the extremeſt danger by King William III. of glorious memory, is now in a moſt ſafe and flouriſhing condition, &c." And the reſolution of the Lords being agreed to by the Commons on a diviſion of 212 to 160 voices, an Addreſs to the ſame effect was preſented to the Queen, who declared her ſatisfaction to find both Houſes ſo ready to join with her in putting a ſtop to theſe malicious reports.

The Upper Houſe of Convocation having at the ſame time prepared an Addreſs to the Throne in terms of loyal affection, and expreſſing their indignation at the ſuggeſtion that the Church was in danger under her Majeſty's Adminiſtration; the Lower Houſe refuſed either to concur, or to ſtate their exceptions. Much wrangling altercation enſued, which terminated in a ſeceſſion of about one third of the Members of the Lower Houſe. At length

length the Queen ſent a letter to the Archbiſhop, dated February the 25th (1706), in which ſhe expreſſed her ſurpriſe that the differences in Convocation were ſtill kept up—and intimated her diſlike of diviſions and innovations. She declared her reſolution to maintain her ſupremacy, and the due ſubordination of Preſbyters to Biſhops as a fundamental part of the Eccleſiaſtical Conſtitution; and ſhe required the Archbiſhop, after communicating this reſolution to the Biſhops and Clergy, to prorogue the Convocation to ſuch time as appeared moſt convenient. This letter was liſtened to with the utmoſt chagrin by the High-Church party, who ſubmitted to the prorogation with great reſentment and reluctance; as a violation of their pretended right to continue their ſittings during the ſeſſion of Parliament. The grievance, fortunately, was of ſhort duration. On the 19th of March the Queen came to the Houſe of Peers, and with many gracious expreſſions of regard put an end to the ſeſſion.

According to the powers veſted in the Queen by the Parliaments of England and Scotland, ſhe once more appointed Commiſſioners on each ſide to treat upon the great buſineſs of the Union of the Kingdoms, who met for the firſt time on the 16th of April 1706 at Whitehall. The Scottiſh Commiſſioners had entertained the idea of a federal Union, like that of the United Provinces, or of the

Cantons

Cantons of Switzerland. But the Engliſh reſolved to loſe no time in the examining or diſcuſſing that project, having previouſly and wiſely determined to treat only concerning an incorporating Union, which ſhould put an end to all diſtinctions, and conſolidate all national intereſts. In the progreſs of the negotiation, the Queen twice made her perſonal appearance amongſt them, in order to urge and exhort the ſpeedy concluſion of the Treaty. On the 23d of July 1706, the articles of the Union being fully completed and agreed upon, were in form preſented to the Queen, at which ſhe expreſſed the higheſt ſatisfaction—declaring, that ſhe ſhould look upon it as a particular happineſs, if ſo great an event could be accompliſhed in her reign.

It was generally believed that Lord Somers had the chief ſhare in framing this famous Treaty, which was in many reſpects highly advantageous to Scotland, though in ſome points it ſeemed to derogate from her national dignity and independence. When four ſhillings in the pound land-tax, amounting to the ſum of two millions, were levied in England, Scotland was to be aſſeſſed at the rate of 48,000l. only. On the other hand, the Peerage of Scotland were diveſted of their privilege of ſitting as Lords of Parliament, and the whole body was in future to be repreſented by ſixteen Peers elected by themſelves; and the Commons by 45 Members choſen by the Country. Scotland was

rendered

rendered liable to the ſame duties of cuſtom and exciſe with England; and a part of theſe being mortgaged for the payment of the principal or intereſt of the public debt of England, the ſum of 398,000l. was paid to Scotland as an equivalent for her ſhare of the ſame, to be applied to a recoinage of the public monies, to the payment of the Scottiſh national debt, to indemnifying the Darien Company for their loſſes, in conſideration of the diſſolution of the ſame, and the encouragement of the infant manufactures of the Kingdom. Trade was to be free all over the Iſland, and to the Plantations; private rights were to be preſerved; and the Judicatories and Laws of Scotland were to be continued. Finally, the two Nations were to the end of time to conſtitute one Kingdom, under the ſame ſucceſſion to the Crown, and united under one Legiſlature. There was no proviſion in the Treaty reſpecting religion—agreeably to an expreſs limitation in the powers granted to the Commiſſioners by the Parliaments of both Kingdoms. Theſe were the chief and leading articles of this memorable Treaty—the firſt of the kind recorded in hiſtory; "for there never was at any time or in any place an example of two ſovereign kingdoms *incorporating* themſelves in ſuch a manner." Theſe are the words of Lord Halifax, in a letter addreſſed to the Court of Hanover on this welcome and intereſting occaſion. It now remained

mained for the diſcuſſion and ratification of the two Legiſlatures.

The ſummer of the year 1705 being, upon the whole, favorable to the arms of France, the Court of Verſailles was emboldened at the opening of the preſent campaign to reſume her antient ſpirit of military enterpriſe; and orders were ſent to M. Villeroi to act upon the offenſive, and riſque a general engagement. In conſequence of theſe injunctions, the French Commander paſſed the Deule, behind which his army lay ſtrongly entrenched, and took a ſecure poſt at Tirlemont; not content with which, he advanced the next day, being Whitſunday, to Ramillies, where he unexpectedly found his farther progreſs ſtopped by the Engliſh General. According to every exiſting account, both of friends and foes, and particularly of M. Feuquieres, that great authority on military ſubjects, the diſpoſition of M. Villeroi on this occaſion was groſsly deficient in ſkill and judgment. The village of Ramillies, into which was thrown a great body of troops, fronted the centre of the French infantry; but without any precautions of defence, and at ſuch a diſtance from the line as to render it incapable of ſupport. The left wing, compoſed of cavalry, was covered by the Gheet and the impaſſable marſhes that bounded it: the troops, therefore, could neither charge the enemy, nor be charged by them. The right extended to the village of Ta-

nieres on the banks of the Mehaigne, and ought to have been ſupported by it; but the village itſelf was guarded by one regiment only of dragoons. The baggage, inſtead of being removed to the rear, was heaped between the two lines, and materially embarraſſed their motions. The Duke of Marlborough diſcerned with the eye of a great commander the manifold and palpable errors of his adverſary. Perceiving the left wing of the French army rendered uſeleſs, he detached a very large proportion of his right to reinforce his centre and left, where the ſtreſs of the battle muſt neceſſarily lie. During this grand movement, M. Villeroi was urged to adjuſt his order of battle to that which he ſaw the enemy forming; but no inſtances could prevail upon him to vary his firſt diſpoſition, though five hours were employed in the neceſſary evolutions on the part of the Allies. The event was ſuch as might be expected from ſuch a combination of obſtinacy and preſumption. The troops, having no confidence in their General, and overpowered by numbers, diſplayed no marks of ſpirit or courage. In a ſhort time all was rout and conſternation, and a moſt complete victory was obtained with inconſiderable loſs. The Duke of Marlborough was nevertheleſs expoſed to the utmoſt perſonal danger, being thrown with violence from his horſe while charging at the head of his ſquadrons and with difficulty reſcued from the enemy; after

which, a cannon-ball took off the head of Colonel Bringfield, his Gentleman of the horſe, as he was holding the Duke's ſtirrup to remount. The defeat of M. Villeroi was equally diſgraceful and diſaſtrous. He loſt his whole train of artillery, moſt of his baggage, 120 ſtandards, and about 18 or 20,000 men killed, wounded, priſoners or deſerters. The Marechal and the Elector of Bavaria, who was preſent in the action, with the broken remains of their army continued their precipitate flight beyond the Deule till they reached Louvaine; where having held by torch-light in the market-place a council of war, they reſolved to abandon that place, and retire towards Bruſſels. The conſternation occaſioned by this great victory extended itſelf even to Paris. The Duc de Vendome was in haſte recalled from Italy to take the command of the army in Flanders; and M. Villeroi, on his ſubſequent arrival at Verſailles, expected to be received with reſentment and reproach: but Louis, with whom the Marechal had ever been a perſonal favorite, gave him a cordial and gracious welcome, ſaying only in reference to the late event, "Fortune, you know, M. le Duc, is a female; and you and I are now too old to expect her favors."

The battle of Ramillies was followed by a general revolution in the Low Countries. Louvaine, Mechlin, Bruſſels, Antwerp, Ghent and Bruges ſubmitted without reſiſtance. Oſtend, Menin, Dendermond

dermond and Aeth ſurrendered almoſt as ſoon as they were ſummoned: the Duc de Vendome not being ſufficiently in force to attempt the relief of any of theſe places.

Purſuant to the general plan of vigorous offenſive war concerted between the Courts of Verſailles and Madrid, King Philip aſſembled a great army early in the ſpring, with which, being joined by the French auxiliaries under M. de Teſſé, he appeared ſuddenly before Barcelona, where the rival Monarch kept his Court, and in a ſhort time formed the inveſtment of that important place by land, while the Count de Toulouſe blockaded it by ſea. The Earl of Peterborough, who flew from Valencia to its relief, made incredible efforts to ſave this capital. He maintained his poſt upon the hills for a conſiderable time with about 2500 men, never above a league or two from the enemy, whom he kept in perpetual alarm. But this was merely the irregular warfare of a daring partiſan; and all his exertions would have been found ultimately unavailing, had it not been for the critical arrival of the Engliſh fleet under Sir John Leake, May the 8th 1706, on the firſt appearance of which the Count de Toulouſe retired to Toulon: and M. de Teſſé, raiſing the ſiege in much diſorder, retreated with his diſpirited and well-nigh ruined army beyond the mountains. An almoſt total eclipſe of the ſun, which happened on that day, afforded occaſion for much ſarcaſtic and

much ſuperſtitious reflection—the ſun being the choſen device of the French Monarch, whoſe oſtentatious motto was "Nec pluribus impar."

The Earl of Peterborough now urged the neceſſity of immediately proceeding to Madrid, in order to form a junction with the Portugueſe army under the Marquis Das Minas and the Earl of Galway, who finding, in the abſence of the King and his brave Caſtilians, few obſtacles in their way from the ſmall force left under the Duke of Berwick, after capturing the towns of Alcantara and Cividad Rodrigo, had marched to that capital, of which on the 24th of June they took quiet and peaceable poſſeſſion. The deciſive counſels of the Engliſh General, happily for Spain, were diſregarded by the Archduke. For reaſons which doubtleſs appeared to him very important, though it is now difficult to aſcertain them with preciſion, Charles lingered near three months in Catalonia and Arragon—thus allowing his rival full time to recruit his ſhattered forces, and to receive additional ſuccors from France. And on his re-approach to the capital, the Portugueſe army, diſpirited by inaction, ſuſpenſe and diſappointment, retreated towards Arragon, where they at length formed a tardy and ineffectual junction with the Imperialiſts. The Earl of Peterborough, enraged to perceive his expoſtulations fruitleſs, and the golden opportunity loſt, and reſolving not to act in ſubordination to the Earl of Galway,

Galway, withdrew from the camp in high diſguſt, and without leave ſailed in one of the Queen's ſhips for Genoa; his pride and inſolence cauſing his abſence, notwithſtanding the acknowledged greatneſs of his talents, to be very little regretted. The chief reaſon aſſigned for the fatal lapſe of time during the weeks waſted at Saragoſſa, was the inability of his Majeſty to make his public entry into Madrid with the requiſite magnificence; to which General Stanhope, as we are told, with warmth replied, "that King William, when he made his deſcent upon England, went to London attended only by a few dragoons, otherwiſe he had loſt his Crown." The ſucceſs of the campaign, however, upon the whole was ſplendid. At the commencement of it, King Charles was cloſely beſieged in Barcelona, and in imminent danger of being made a priſoner; but it terminated in the recovery of Catalonia, the ſecurity of Valencia, and the reduction of Arragon.

During this fortunate year the ſucceſs of the Allied arms in Italy was ſcarcely inferior to the uninterrupted ſeries of triumphs they had experienced in Flanders. The Duke of Savoy, who had acceded to the Grand Alliance in the expectation of being powerfully ſupported by the Emperor, ſeemed abandoned to his fate, which his reſolution and courage ſerved only to protract, but could not avert. Overpowered by the ſuperior force and great military talents of his antagoniſt, he was at length

reduced to take refuge in his capital of Turin, where, on the recall of the Duc de Vendome, he was cloſely beſieged by the French army under Marechal de Marſin. The Imperial Court, determining to make one grand effort effectually to aid the Duke of Savoy in this extremity, directed Prince Eugene at the head of a powerful army to march to the relief of Turin. With ſuch ability and ſuch ſucceſs did that celebrated Commander execute this important commiſſion, that, after ſurmounting all the numerous difficulties which obſtructed his junction with the Duke, he attacked the French army in their entrenchments before Turin, and gained a moſt glorious and deciſive victory—the unfortunate Marechal Marſin falling in the action. And this event was quickly followed by the final expulſion of the French from Lombardy.

On the banks of the Rhine alone, where M. Villars commanded with ſuperior ſtrength againſt the Prince of Baden, did Fortune ſeem diſpoſed to be more favorable to France. But the French General being compelled to ſend large reinforcements to the Duc de Vendome after the battle of Ramillies, the Circles of Suabia and Franconia were by this revulſion of his forces relieved from their terrors of pillage and contribution.

In the autumn of the preſent year advances were made on the part of the King of France, amazed

and

and confounded at ſuch unheard-of misfortunes, for obtaining peace. The Elector of Bavaria wrote, by his direction, a letter to the Duke of Marlborough, propoſing conferences to be held for that purpoſe, at ſome ſpot between the two camps, and, after the ſeparation of the two armies, at any place between Mons and Bruſſels; "in which," ſays his Electoral Highneſs, "You, Sir, with whom the intereſts of England are ſo ſafely entruſted, the Deputies which the States ſhall pleaſe to nominate, and the perſons whom the King of France ſhall empower, may begin to treat upon ſo important an affair." The Duke, after tranſmitting this letter to England, ſignified in terms of great coldneſs and haughtineſs, "that he was commanded by the Queen his Miſtreſs to declare, the way of conferences propoſed by the Elector, without more particular declarations on the part of his Moſt Chriſtian Majeſty, does not ſeem proper for obtaining a truly ſolid and laſting peace." The States General likewiſe expreſſed their concurrence in the ſame ſentiments. Anxious to enter into a negotiation, the King of France next applied to the Pope to interpoſe his good offices, and left it to the arbitration of his Holineſs to ſatisfy the rights and demands of the Emperor—ſpecifically offering the Milaneſe, Naples, Sicily, and Sardinia, with a barrier for Holland; all which propoſitions were refuſed with diſdain by the Court of Vienna, which

inſiſted on nothing leſs than the dethronement of Philip, and the renunciation of the whole Spaniſh Monarchy.

The domeſtic affairs of Great Britain ſtill continued in a ſituation truly critical. On the 3d of October 1706, the Parliament of Scotland was convened for the laſt time at Edinburgh, the Duke of Queenſberry opening the ſeſſion as High Commiſſioner with unuſual ſtate and magnificence. The Queen's letter contained the intereſting information that the Articles of the Treaty of Union were agreed upon by the Commiſſioners appointed for that purpoſe, and recommended their adoption in the ſtrongeſt terms that language could afford, "as the only effectual way to ſecure their preſent and future happineſs, and to diſappoint the deſigns of her and their enemies, who would doubtleſs on this occaſion uſe their utmoſt endeavors to prevent or delay this union, which muſt ſo much contribute to her glory and the happineſs of her people."

Undoubtedly the accompliſhment of this Treaty was the final and death blow to the hopes of the Court of St. Germaine's: yet ſtill the fond and deluſive idea was cheriſhed, that the Engliſh Miniſters entertained amicable intentions reſpecting the exiled family. Lord Caryl, a nobleman who with very inferior talents ſeems to have ſuperſeded the Earl of Middleton, now aged and infirm, in the chief direction of affairs, expreſſes himſelf, July

1706,

1706, "glad at heart" on receiving the intelligence tranſmitted to him reſpecting "the good humor and fair profeſſions of Lord Godolphin"—who *could* mean nothing more at this period, than to amuſe and deceive. When the Treaty was actually before the Scottiſh Parliament, he is ſtill of opinion, "that a good conſtruction may poſſibly be made of the intentions of Marlborough and Godolphin, though he acknowledges them to be ſo full of myſtery in their dealings, that it is hard to judge of their deſigns *." And in ſubſequent letters his hopes and fears ſeem alternately to preponderate, and his mind to waver in anxious uncertainty. The object, no doubt, of theſe great Leaders was to perſuade the Court of St. Germaine's that their intereſt was conſulted, or at leaſt not ſacrificed, by the Union, in order to obtain the acquieſcence if not the ſupport of the Jacobite party in that meaſure.

The French King, preſſed on all ſides by the victorious arms of the Allies, ſhewed no inclination, and even declared his total inability for the preſent to engage in any hoſtile enterpriſe againſt Britain. All that the Court of St. Germaine's, therefore, could do in theſe circumſtances, was to ſend over to Scotland, in compliance with the recommendation of M. Chamillart, the French Miniſter, Colonel Hooke, a man of ſenſe and experience, "to acquire on the ſpot a perfect knowledge of the

* Macpherſon's Papers, vol. ii. p. 75.

ſtate

ſtate of things." The Colonel was furniſhed by the two Courts of St. Germaine's and Verſailles with ample inſtructions, and a Declaration of War on the part of the former, to be publiſhed at the proper period, proclaiming "the reſolution of his Majeſty King James VIII. to repair to his Kingdom of Scotland in order to aſſert his undoubted right, and to deliver all his good ſubjects from the oppreſſion and tyranny they had groaned under for above eighteen years paſt." And the Colonel was expreſsly authoriſed and commiſſioned to repreſent to them "the neceſſity of laying hold of this opportunity of vindicating the Sovereign's right, and their own privileges and independency, which, if neglected, may never be retrieved." But in the paper ſigned by M. Chamillart it is particularly recommended to Colonel Hooke, not to engage his Moſt Chriſtian Majeſty in expences which he cannot conveniently ſupport, nor to give them any room to hope for more than he can furniſh*." Upon the whole, the Jacobite faction, little influenced by the artifices of Lord Godolphin, who, ſincere and upright by nature, was tempted and almoſt compelled by circumſtances to act an inſidious and faithleſs part, determined to exert themſelves to the utmoſt in oppoſition to the Treaty of Union; and in this deſign they were, from motives

* Macpherſon's Papers, vol. ii. p. 80.

very

very different, ſeconded by the old Republican party, headed by Fletcher of Saltoun.

The leaders of the Jacobites were the Dukes of Hamilton, Gordon and Athol, the Marquis of Annandale, the Earls of Errol, Mareſchal and Belhaven, &c. Of theſe the Duke of Hamilton was univerſally conſidered as the chief in point of power, influence and popularity; and being deſcended by the female line from the Houſe of Stuart, "a gleam of royalty opened upon his mind," and he was ſuſpected, not without reaſon, of aſpiring to the ſucceſſion, if by any means the claims of the rival Courts of St. Germaine's and Hanover could be ſuperſeded. He had, however, much at ſtake; and being at length reluctantly convinced of the vanity of his own pretenſions, he began to liſten to the ſecret overtures of the Engliſh Miniſtry; and at the commencement of the preſent ſeſſion it is probable he had already determined to abandon his party whenever his intereſt ſhould prompt. From the tenor of Colonel Hooke's inſtructions, it appears that the Lords Middleton and Caryl placed no reliance upon him, and that his duplicity was already detected. This is abundantly confirmed in the curious Narrative, ſubſequently publiſhed in France, of Colonel Hooke's negotiations in Scotland, with the original authorities annexed. On his firſt arrival, the Duke ſent to the Colonel, deſiring to know "whether

ther he was not ordered to offer him ſome perſonal advantages, and what thoſe advantages were." Lord Errol ſaid, "that the Duke of Hamilton's conduct was impenetrable; and adviſed Colonel Hooke to conceal from him all that he tranſacted with the other Lords." "I ſaw," ſays the Colonel, "the Nation ready to come to the laſt extremities to prevent the Union; that they only waited for a leader; that the Duke of Hamilton wanted them not to think of the King of England, by perſuading them that the King of France neither had an inclination nor an ability to aſſiſt that Prince; and the deſpair of the people augmenting every day, the Duke might flatter himſelf that they would at length addreſs themſelves to him. It appears to me, that if he was not gained over by the Court of London, he could have no other views *." Alſo in a Memorial of the Laird of Kerſland, a principal leader of the Preſbyterians in the Weſt, who in the preſent national infatuation had forgotten the oppreſſions they had formerly ſuffered under the dominion of the perfidious and tyrannic race of STUART, it appears that application had been made by them to the Duke of Hamilton for permiſſion "to take arms, and diſperſe the Parliament; and that the Duke had charged them '*not to ſtir*'—which they obeyed with great regret.—That ſhortly after the Laird of Niſhy, of the Houſe

* Secret Hiſtory of Colonel Hooke's Negotiations.

of

of Hamilton, had inſinuated to them, that, the King being abandoned by France, it was neceſſary to look for other means of delivering their Country —and then propoſed to them to offer the Crown to the Duke of Hamilton—that they rejected this propoſition, well knowing the reſt of the Nation would never conſent to it." Colonel Hooke, after what he ſaw and heard, no longer thought it of uſe to keep any meaſures with the Duke. On receiving a frivolous and futile meſſage from him by Lord Kilſyth, "to inform the KING, that nothing could contribute ſo much to his ſervice as the gaining of Lord Marlborough and Lord Godolphin," he anſwered, "that he was not come to Scotland to aſk the Duke of Hamilton's advice about the King's affairs—that his Majeſty did not want it—that the Duke did not deal fairly—that he uſed tricks unbecoming a perſon of his character—that he pretended to want to treat, but did not take meaſures for it—that he was tired of all his ſhuffling evaſions, and that, if he would not do any thing, he ſhould perhaps find means to ſave Scotland without him *."

The debates of the Scottiſh Parliament on this great and ſolemn occaſion were, in reſpect both of argument and eloquence, equal perhaps to thoſe of any public Aſſembly whoſe tranſactions have been the ſubject of hiſtoric regard. Every conſideration

* Secret Hiſtory of Colonel Hooke's Negotiations.

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of honor, intereſt and ſafety which can touch the human heart, or awaken the dormant paſſions of the ſoul, was urged by the Members in Oppoſition to deter the Houſe from the adoption of this fatal project. Fletcher of Saltoun with all the energy of Roman patriotiſm declared, "that the Nation was BETRAYED by the Commiſſioners"—and when vehemently called upon for an explanation, he perſiſted in his charge, alleging, that he could find no other word than TREACHERY to expreſs his ideas of their conduct. It was harſh indeed, but it was truth; and, if the Houſe thought him guilty of any offence in making uſe of this expreſſion, he declared himſelf willing to ſubmit to their cenſure." A vote of cenſure, however, no one dared to move. And Lord Belhaven, in a ſpeech yet famous in Scotland, depictured with moſt impreſſive imagery Caledonia as ſitting in the midſt of the Senate, looking indignantly around her, and covering herſelf with her royal robe, attending the fatal blow, breathing out with tender and paſſionate emotion the exclamation, "Et tu quoque, mi fili!" "I ſee," ſaid this animated orator, "a free and independent Kingdom tamely reſigning that which has ever been conſidered amongſt nations as the prize moſt worthy of contention—a power to manage and conduct their own affairs, without any foreign interference or control. We are the ſucceſſors of thoſe who founded our Monarchy, framed

framed our Laws, and who during the ſpace of 2000 years have handed them down to us with the hazard of their lives and fortunes. Shall we not then zealouſly plead for thoſe rights which our renowned progenitors ſo dearly purchaſed? Shall we hold our peace, when our Country is in danger? GOD forbid! —England is a great and glorious Nation. Her armies are numerous, powerful and victorious; her trophies ſplendid and memorable; ſhe diſpoſes of the fate of kingdoms; her navy is the terror of Europe; her trade and commerce encircle the globe; and her capital is the emporium of the univerſe. But we are a poor and obſcure people, in a remote corner of the world, without name, without alliances, without treaſures. What hinders us then to lay aſide our diviſions, to unite cordially and heartily, when that liberty which is alone our boaſt, when our all, our very exiſtence as a Nation is at ſtake? The enemy is at our gates. Soon will he ſubvert this antient and royal throne, and ſeize theſe regalia, the ſacred ſymbols of our liberty and independence.—Where are our Peers and our Chieftains? Where are the Hamiltons, the Douglases, the Murrays and the Campbells? Will poſterity believe that ſuch names yet exiſted, when the Nation was reduced to this laſt extremity of degradation, and that they were not eager in ſuch a cauſe to devote themſelves for their country, and die in the bed of honor? My

heart," ſaid this noble patriot "is full of grief and indignation, when I conſider the triumph obtained by England, which has at length brought under ſubjection this fierce and warlike people, who for ſo many ages ſhed the beſt blood of the Nation to eſtabliſh their independency. It is ſuperfluous," added he, "to enter into a formal examination of the articles of this Treaty; for though we ſhould even receive a *carte blanche* from England, what is this in exchange for our Sovereignty? But does not in fact this pretended Union amount to political annihilaton? I ſee the Engliſh Conſtitution remaining firm—the ſame two Houſes of Parliament, the ſame municipal laws, the ſame commercial companies, the ſame courts of judicature; while WE make an ignominious and entire ſurrender of our national polity, our rights, our liberties, our honor and our ſafety."

Theſe were the ſentiments by which the Scottiſh Nation was almoſt univerſally actuated, and by which a generous and high-ſpirited people could not fail of being at ſuch a criſis very powerfully impreſſed. The ſpeech of Lord Belhaven drew tears of anger and diſdain from his auditors. And it was in vain that a few diſintereſted and diſpaſſionate patriots, who from principle acted in conjunction with the numerous band of courtiers, placemen and penſioners who compoſed a majority of the Parliament, forcibly urged the great and ſolid advantages which

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muſt reſult from this Union. "That the actual ſituation of Scotland in a political view," ſaid one of the Commiſſioners—Mr. Seaton of Pittmedden—who addreſſed the Houſe on this occaſion, "is diſadvantageous and ineligible, no one will venture to deny. Two kingdoms ſubject to one Sovereign, and having ſeparate intereſts, muſt be liable to endleſs emulations and jealouſies; and the Monarch will, whenever theſe intereſts come, or are ſuppoſed to come, in competition, be obliged to decide in favor of the more powerful Kingdom. And the greater the diſparity of power and riches, the greater and more manifeſt will be the partiality; as the experience of a whole century has too fatally evinced. But to aim at an abſolute ſeparation of the Britiſh Crowns, would be a raſh and romantic project. If in former ages the Scots were ſcarcely able with the moſt heroic exertions to maintain their independency, how could it be imagined poſſible now that England had acquired ſuch an immenſe preponderance in the ſcale of power? Were they to ſeek for refuge or ſecurity in the revival of the ancient league with France? This would of itſelf be a virtual declaration of hoſtility againſt England, and probably accelerate that cataſtrophe which it was its profeſſed object to avert. The policy of Europe would undoubtedly prevent any effectual interference of France in their behalf, in oppoſition to England the great bulwark of the

liberties of Chriſtendom. By an entire ſeparation from England, the internal tranquillity and domeſtic order of the State would be alſo imminently endangered. Is the Nation prepared for the reception of a new ſyſtem of laws and juriſprudence? Or ſhall we revert to that Gothic Conſtitution of Government, adapted to the rude and barbarous manners of our anceſtors, and productive of perpetual feuds and implacable animoſities—of devaſtation, outrage, and anarchy; and which, previous to the union of the two Crowns, we know the Executive Power did not poſſeſs energy ſufficient to repreſs? If, then, the connection with England cannot be ſafely diſſolved, and if the political relation in which we now ſtand as to that country is the ſubject of juſt and grievous complaint, what remains but to form a permanent union of the two Kingdoms, as well as of the two Crowns, on terms of reciprocal amity and advantage? Of the neceſſity and expediency of a firm and durable union we profeſs indeed an almoſt unanimous conviction: but then it is a federal and not an incorporative union, for which many of our countrymen entertain a zealous and invincible predilection. But this is not the union which England offers to our acceptance, or which ſhe will herſelf accept. A federal union would be productive of no advantage, would remedy no evil. And where is the guarantee for the obſervance of the articles of a fe-

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deral compact between two nations, one of which is ſo much ſuperior to the other in riches, power and population? Hiſtory demonſtrates that incorporative unions, ſuch as the kingdoms included in the Monarchy of Spain afford an example of, are ſolid and permanent; but that a federal union is a weak and precarious bond of connection, eaſily diſſolved by intereſt or ambition. Sweden and Denmark were once united by a federal compact—But were peace and concord the reſult of this compact? No—it was the parent of ſtrife, of enmity and oppreſſion; and it terminated in ſcenes of blood and ſlaughter, and in everlaſting ſeparation. Let us not then amuſe ourſelves with words inſtead of things. By an union of kingdoms, I acknowledge I comprehend nothing ſhort of an union of power, of government, and of intereſt. Till both Nations are thus incorporated into one, England will neither extend to us the benefits of her commerce, nor the protection of her arms. By this union, Scotland will be put into the immediate poſſeſſion of advantages to which ſhe could never otherwiſe attain. The ſources of proſperity will be opened to her view, and placed within her reach. We ſhall have ample ſcope for the exerciſe of our national induſtry in all its branches. To the vain ambition of independence, to the mere deluſive phantom of royalty, will ſucceed the flouriſhing arts of peace; and Scotland will, by a policy founded on true wiſdom, ac-

quire that ſecurity and happineſs which form the great and genuine end of government. We ſhall, with a juſt increaſe of confidence, ſee our liberty, property, and religion placed under the guardian care and protection of one Sovereign and one Legiſlature: and every branch of the empire, every part of the body politic, be it ever ſo remote from the ſeat of Government, will participate in the univerſal proſperity, under the beneficial influence of the ſame equitable and liberal ſyſtem of polity, and in the enjoyment of the ſame civil rights and commercial advantages, in proportion to the value of its natural products, and the vigor and perſeverance of its own laudable and voluntary exertions."

Notwithſtanding the good ſenſe and political rectitude of theſe reaſonings, ſuch was the violence with which the Treaty of Union was oppoſed in the Scottiſh Parliament, and ſuch the commotion which it excited in the Kingdom, that the Duke of Queenſberry, High Commiſſioner, abſolutely deſpaired of ſucceſs, and was deſirous of adjourning the Parliament, till by time and management he ſhould be able to obviate thoſe formidable difficulties. But the Lord Treaſurer Godolphin, who ſaw that the meaſure would be loſt by delay, urged him to perſiſt in his exertions, which were at length crowned with ſucceſs. The Duke of Athol, and the Oppoſition in general, had reſolved to have recourſe to a forcible diſſolution of Parliament: but their de-

ſigns were rendered abortive by the irreſolution or treachery of Hamilton; for, though the language of this great and popular Nobleman in Parliament was extremely vehement, his conduct was altogether inconſequential and indeciſive. After urging the party in oppoſition not to look back upon what might have been done amiſs, but now at laſt to unite their efforts to ſave the Nation, which ſtood on the brink of ruin, he propoſed at a general meeting a daring Proteſtation againſt the Union, "which," he ſaid, "if the Engliſh did not deſiſt from proſecuting, they muſt have recourſe to ARMS and call over the KING." All who were preſent expreſſed their concurrence; and a day being fixed for preſenting the Proteſtation, the Duke pretended to be taken ill. But in conſequence of the expoſtulations of his friends on his ambiguous and fluctuating conduct, ſo nearly reſembling that of his grandfather in the reign of Charles I. he was prevailed upon to go to the Parliament-houſe; but being there ſeized with another paroxyſm of terror, he abſolutely refuſed to preſent the Proteſtation, and promiſed only to be the firſt adherer. Laſtly, to complete his ſyſtem of duplicity, he himſelf moved that the Queen ſhould have the nomination of the Commiſſioners. Aſtoniſhed at this ſtrange conduct, many of the Jacobite party ruſhed in deſpair out of the Houſe, exclaiming aloud, "Betrayed!

trayed! betrayed!" After which the Treaty met with comparatively little oppoſition *.

The Commiſſioners had been expreſsly reſtrained by their inſtructions from treating on the ſubject of religion—this being a matter of ſuch high import, that it was deemed proper to refer it altogether to the wiſdom of Parliament. An Act was accordingly prepared for ſecuring the Preſbyterian Government of the Church of Scotland, which, in the hope of throwing an additional obſtacle in the way of the Union, the diſaffected Epiſcopal and Jacobite party contributed all their influence to render as ſtrong and pointed as poſſible: and it was declared an eſſential part of the Act of Union, to be ſubſequently ratified by the Engliſh Parliament; which, to the chagrin and ſurpriſe of the faction in Scotland, the Whigs of England, careleſs of the intereſts of Scottiſh Epiſcopacy, heſitated not in the ſequel to comply with. But, excluſive of the methods uſed to allay the popular reſentment, and the ſacrifices made to national prejudice, other means were adopted to facilitate the final paſſing of the Act of Union. By the report of the Commiſſioners of Public Accounts, delivered in ſome years after this time, it appears that the ſum of 20,000l. and upwards was remitted at the preſent juncture to Scotland; which was diſtributed ſo ju-

* Tindal, Macpherſon, Memoirs of Scotland, Burnet, &c.

diciouſly,

diciouſly, that the rage of oppoſition ſuddenly ſubſided, and the Treaty, as originally framed, received without any material alteration the ſolemn ſanction of the Scottiſh Parliament—the general queſtion being carried by a majority of 110 voices. And on the 25th of March 1707 the Lord High Commiſſioner adjourned the Parliament, after expreſſing in very warm terms the ſatisfaction he felt in bringing this important affair to perfection.

A ſhort time after the riſing of Parliament, the Duke of Hamilton, who had now become notorious for his duplicity and inconſtancy, tranſmitted a paper to the Court of St. Germaine's, written in his own hand, but neither ſigned nor directed, in which is to be found the following ſingular paſſage—"The D. of H. always flattered himſelf that Lord G. meant well, yet he was for the Union more than can be thought—I know, however, that the Whigs in England have reſolved his ruin, but perhaps he does not know it.—Lord M. has been as zealous for the Union as *he*; which will cauſe the ruin of the Royal Family.—Strange things have paſſed in this Parliament!—Either come with a ſtrong force, or wait the will of God." Upon this declaration it is obvious to remark, that, of all the "ſtrange things" that had paſſed during the ſeſſion, nothing was ſo ſtrange as the Duke's own conduct; and by propoſing two alternatives, one of which he knew to be impracticable, it was evi-

dent that he had determined to abide by the other, and wait with patience the MIRACLE of the King's reſtoration—an event which the eager deſire and fond credulity of the Court of St. Germaine's ſtill prompted them to expect.

The Parliament of England met on the 3d of December 1706, and voted liberal ſupplies for carrying on the war; but no material incident occurred till on the 28th of January the Queen came to the Houſe of Peers, and informed the Parliament that the Treaty of Union had been ratified by the Parliament of Scotland. The Treaty itſelf, and the proceedings relative to it, being laid before the Houſe of Peers; their Lordſhips, on the motion of the Archbiſhop of Canterbury, ordered a Bill to be brought in for the Security of the Church of England; which being read a firſt and ſecond time, the queſtion was put, whether it ſhould be an inſtruction to the Committee to inſert in the Bill the Act of 25 Charles II. entitled, An Act for preventing the Dangers which may happen from Popiſh Recuſants, commonly called the Teſt. It was reſolved in the negative by a majority of 63 voices againſt 33. The Bill declaring the Acts paſſed in favor of the Church to be in full force for ever, was then made an eſſential part of the Union. But the Houſe avoided the abſurdity chargeable on the Scottiſh Parliament, which pronounced the Government of their Church unalterable; ſince, as was well

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obſerved, where a ſupreme Legiſlature is once acknowledged, nothing can be unalterable; and it is a manifeſt preſumption, and uſurpation of the rights of ſucceeding generations, for any aſſembly of perſons, however conſtituted, to pretend to fix bounds and limits to the exerciſe of their diſcretion. The Bill, quickly paſſing through both Houſes, received in a ſhort time the royal aſſent.

On the 4th of February 1707, the Houſe of Commons, in a grand Committee, took into conſideration the Articles of the Union, and Act of Ratification. The propoſitions were ſeverally gone through, and ſucceſſively approved, in a ſpace of time too ſhort to admit of very minute diſcuſſion; and on the 15th of the ſame month they were ſubmitted to the Lords. Many objections were ſuggeſted by the Earls of Rocheſter, Nottingham, Angleſey, &c. but over-ruled—and a Bill for ratifying the ſame was prepared by Sir Simon Harcourt, the Solicitor General, and ſo modelled as, by a very ſingular effort of political dexterity, to preclude any revival of the debate; which the Tories hoped and expected to reſume at more leiſure, and with greater effect. For it was ſo contrived, that the articles of the Treaty as finally approved and ratified, together with the Bills for ſecuring the two National Church Eſtabliſhments, ſhould be recited in the preamble of the Act, and the whole converted into a law by a ſingle enacting

clauſe,

clauſe. The Tories being thus reduced to the neceſſity of combating the general clauſe, and that alone, the recital being merely matter of fact; the Act paſſed triumphantly and with great facility through both Houſes, and immediately received the royal aſſent—the Queen making upon the occaſion a ſpeech, in which ſhe declared it to be her peculiar happineſs, that an object had been accompliſhed in her reign, which in the courſe of above 100 years had been ſo repeatedly attempted in vain. The Parliament was prorogued on the 30th of April, and on the ſucceeding day, agreeably to the Union-Act, the two Nations of England and Scotland were indiſſolubly incorporated into one Kingdom—ever afterwards to be known by the appellation of Great Britain. On this occaſion, congratulatory Addreſſes were ſent up from all parts of England; but the Scots obſerved a ſullen and expreſſive ſilence. Various promotions alſo took place at this period. The Marquis of Montroſe and the Earl of Roxburgh were created Dukes in Scotland; Lord Cowper was declared Lord High Chancellor; the Earl of Stamford, Firſt Lord of Trade; &c. But by far the moſt remarkable change had been made in the courſe of the ſeſſion by the diſmiſſion of Sir Charles Hedges, Secretary of State, and the transfer of the Seals to the Earl of Sunderland, who had lately ſucceeded to that title on the death of his father, and who was nearly

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allied to the Duke of Marlborough by marriage with his ſecond daughter. This promotion ſeemed very favorable to the intereſt and influence of the Whigs, by whom it was earneſtly deſired; but it proved in reality far otherwiſe. The Queen parted with Sir Charles Hedges, for whom ſhe entertained a great eſteem, with extreme reluctance, and not till after much importunate ſolicitation; and ſhe retained a permanent reſentment of the force and conſtraint which ſhe acted under upon this occaſion. In the month of October the Duke of Marlborough had written to the Ducheſs to urge this matter upon the Queen, which ſhe had the folly and indiſcretion to do in a ſtyle of ſingular inſolence. She pretended that the Lords Godolphin and Marlborough would, in conſequence of the Queen's partiality to the Tories, be under the neceſſity of leaving her ſervice. "You will then," ſaid the Ducheſs, "find yourſelf in the hands of a violent party, who, I am ſure, will have very little mercy, or even humanity, for you: whereas you *ought* to prevent all theſe misfortunes by giving my Lord Treaſurer and my Lord Marlborough, whom you may ſo ſafely truſt, leave to propoſe thoſe things to you which they know and can judge to be abſolutely neceſſary for your ſervice."

About this period a new Favorite had ariſen in the Court—Mrs. Maſham, a relation of the Ducheſs of Marlborough, and introduced by her to the

the Queen; over whom ſhe had, by her ſoft and inſinuating manners, ſo oppoſite to the imperious deportment of the Ducheſs, acquired ſuch an aſcendency, that her Grace was abſolutely ſupplanted before ſhe was appriſed of the danger. Mrs. Maſham had formed a ſtrict connection with the Secretary of State, Harley, who had in conjunction with her formed a project of raiſing himſelf to the ſummit of power on the ruins of the preſent Miniſtry, whoſe whole ſyſtem of politics he found ſecretly diſtaſteful to the Queen. The Secretary had been frequently introduced by the Favorite to private audiences of the Queen, in which he repreſented to her, who was extremely jealous of her authority, the political thraldom in which ſhe was held by the Marlborough family; and he practiſed on the goodneſs and humanity of the Queen's diſpoſition, by reprobating the boundleſs ambition and avarice which prompted the General to continue a war ſo fruitful of miſery and calamity—a war, which might indeed be neceſſary to his greatneſs, but which it would be eaſy to terminate on very advantageous and honorable terms for the Sovereign and Nation. The advancement of Sunderland would of courſe tend to ſtrengthen that influence, which the Queen had now learned to dread; and the perſonal conſequence of Harley, who feared not the competition of Sir Charles Hedges, would be greatly eclipſed by the promo-

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tion of a man of Sunderland's high rank, connections and political ability, of which he had already given in a late Embaſſy to Vienna very demonſtrative proofs. After a long and obſtinate reſiſtance, the Queen thought proper to yield the point in conteſt; and the Earl of Sunderland was declared Secretary of State in December 1706. But from this moment the Marlborough intereſt was undermined, and in imminent danger of eventual ſubverſion.

# BOOK VI.

*Embaſſy of the Duke of Marlborough to the King of Sweden. Campaign in Flanders and Germany,* A. D. 1707. *Unſucceſsful Attempt on Toulon. Battle of Almanza. Shipwreck of Sir Cloudeſley Shovel. Firſt Parliament of Great Britain convened. Debates reſpecting the War in Spain. Privy Council of Scotland aboliſhed. Secretary Harley diſmiſſed. Whigs loſe the Favor of the Queen. Invaſion of Scotland by the Pretender. Campaign in Flanders, &c.* A. D. 1708. *Battle of Oudenard. Conqueſt of Liſle. Sardinia and Minorca reduced. Singular Conteſt with the Court of Ruſſia. Death of the Prince of Denmark. Seſſion of Parliament. Act of Grace. Conferences for Peace opened at the Hague. War becomes unpopular in England. Campaign in Flanders,* A. D. 1709. *Battle of Malplaquet. Military Operations in Spain. Extraordinary Defence of the Caſtle of Alicant. King of Sweden defeated at Pultowa.*

*Pultowa. New Overtures of Peace made by France. Seſſion of Parliament. Trial of Sacheverel. Great Popularity of the Tories. Entire Change of Adminiſtration. Conferences of Peace revived at Gertruydenberg. Campaign in Flanders,* A. D. 1710.—*and in Spain. Victories of Almanara and Saragoſſa. Reverſe of Fortune. Diſaſter at Bribuega. Seſſion of Parliament. Violence of the Tories. Proceedings of the Convocation againſt Whiſton. Death of the Emperor Joſeph. State of Politics on the Continent. Campaign in Flanders,* A. D. 1711. *Capture of Bouchaine. Archduke Charles elected Emperor. Naval Tranſactions. Ill-concerted Attempt againſt Quebec. Clandeſtine Negotiations with France. Seſſion of Parliament. Occaſional Conformity Bill paſſed. Duke of Marlborough diſmiſſed from his Employments. Creation of Twelve Peers. Debates on the Barrier Treaty. Scottiſh Toleration Bill. Congreſs held at Utrecht. Campaign,* A. D. 1712, *in Flanders. Fatal Ceſſation of Arms. Diſaſters of the Allies. Treaty of Utrecht ſigned. Seſſion of Parliament. Attempt to diſſolve the Union. Debts of the Crown diſcharged. Miniſterial Diſputes and Cabals. Affairs of Ireland. State of Europe. Treaty of Al-Raſtadt. Seſſion of Parliament. Debates on the Danger of the Proteſtant Succeſſion. Writ demanded for the Electoral*

*Electoral Prince. Death of the Princeſs Sophia. Schiſm Bill paſſed. Diſmiſſion of the Earl of Oxford. Death of the Queen. Review of her Character.*

IN the ſpring of the preſent year, 1707, the Duke of Marlborough, whoſe talents were equally adapted to the Cabinet and the Field, was inveſted with a very important embaſſy to the King of Sweden. This Monarch, after forcing, as has been related, the Daniſh Court to a ſeparate peace at Travendahl, paſſed over into Ingria, where the Czar Peter was engaged in the ſiege of Narva at the head of an army of 80,000 Ruſſians. Leading without heſitation to the attack a body of troops not exceeding 10,000 men, he gave him a total and memorable defeat. Believing the Swediſh provinces on that ſide ſecure, and deſpiſing ſo imbecile an enemy, he advanced into Livonia, and compelled the King of Poland to raiſe the ſiege of Riga. Afterwards attacking the united army of Poles and Saxons on the banks of the Dwina, he forced the paſſage of that river with great ſlaughter; and, penetrating into the heart of the Kingdom, by a ſeries of aſtoniſhing ſucceſſes, made himſelf maſter of Cracow and Warſaw; and, being animated by an implacable animoſity againſt King Auguſtus, he cauſed a Diet to be aſſembled, by whom the depoſition of that Monarch was pro-

nounced, and Staniſlaus Leckzinſki, a Poliſh Palatine of great merit and accompliſhments, elected King of Poland in his ſtead. The unfortunate Auguſtus, retiring into Saxony, was purſued thither alſo by his relentleſs antagoniſt, who reduced the whole Electorate, Dreſden excepted, to unconditional ſubmiſſion, levying immenſe contributions upon the inhabitants, and diffuſing terror throughout all the neighboring States, and even the Imperial Court of Vienna itſelf. A Treaty was at length ſigned at Alt-Ranſtadt, between the Kings of Sweden and Poland; by which the latter relinquiſhed his pretenſions to the Poliſh diadem in favor of Staniſlaus—retaining the mere empty title of King, and ſtipulating only for the reſtitution of his Electorate. The King of Sweden nevertheleſs ſtill remained with his army in Saxony, where his conduct was ſuch as to occaſion great umbrage to the Allies, and more particularly the Emperor, whom he treated with great haughtineſs and diſdain. The Swediſh Envoy at Vienna, Baron Strahlenheim, having received an affront from a Hungarian Nobleman, Count Zobor, the King of Sweden inſiſted upon the Count's being delivered up to him; alſo upon the abſolute ſurrender of the Ruſſian troops who had eſcaped from the defeats in Poland into Germany, and had been entertained in the Imperial armies; and of thoſe officers who had obſtructed the Swediſh levies in Sileſia. Count Wrattiſlau

Wrattiſlau being nominated Ambaſſador to the King of Sweden, Count Piper, Firſt Miniſter to his Swediſh Majeſty, wrote to him, ſaying "that if he came with power to give his maſter real ſatisfaction, he would be welcome; but that if he only came to enter into a diſcuſſion of his Swediſh Majeſty's pretenſions, he might ſave himſelf the trouble of that journey:" and upon the Count's ſubſequent arrival at Alt-Ranſtadt, the King refuſed to admit him to an audience. The demands of Sweden were now enlarged and multiplied into divers diſtinct articles, of which the moſt remarkable were, that the Proteſtant religion in Sileſia be reſtored, according to the Treaty of Weſtphalia; that his Imperial Majeſty ſhould renounce all pretences to the quota which the King of Sweden, as Prince of the Empire, had omitted to furniſh during the preſent war; and that the whole Swediſh army, on their return to Poland, ſhould be maintained at the Emperor's charge: all of which the Court of Vienna was ultimately compelled to ratify. Surpriſe being expreſſed by ſome of the Courtiers at his Imperial Majeſty's yielding to the article reſpecting the reſtoration of Proteſtantiſm in Sileſia, the Emperor replied, "that it was fortunate the King of Sweden did not inſiſt upon his turning Proteſtant himſelf."

In the height of this diſpute, and while the moſt ſerious apprehenſions were entertained that a rup-

ture might take place, ſo injurious to the intereſts of the Allies, the Duke of Marlborough arrived in Saxony upon an oſtenſible embaſſy of compliment, but with a hidden purpoſe to diſcover the real intentions of the King of Sweden, and, by thoſe arts of inſinuation and addreſs of which he was ſo great a maſter, to conciliate his favor and regard. Being conducted by Count Piper with diſtinguiſhed marks of honor into the King's preſence, he preſented to that Monarch a letter from the Queen of England, written with her own hand: and knowing the weakneſs of the King's character with reſpect to flattery and the extravagance of his pride, ill concealed under a guiſe of ſimplicity and modeſt reſerve, he declared, "that, had not the ſex of the Queen of England, his Miſtreſs, prevented, ſhe would have croſſed the ſea to viſit a Prince admired by the whole univerſe."—His Grace added, "that he eſteemed himſelf honored in making theſe aſſurances; and that he ſhould think it a great happineſs if his affairs would allow him to learn under ſo great a General as his Majeſty, what he yet wanted to know in the art of war." To this ſpeech the King of Sweden replied, "that he ſhould always have the utmoſt regard for the interpoſition of the Queen of Great Britain and the intereſts of the Grand Alliance—that her Majeſty might be aſſured his deſign was to depart hence, as ſoon as he had obtained the ſatisfaction he had demanded

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—and that he ſhould do nothing which might tend to the prejudice of the common cauſe in general, or to the Proteſtant religion in particular, of which he ſhould always glory to be a zealous protector." He then invited the Duke to dinner, placing him on his right hand, and Count Piper on the left: after which the Duke retired with the King and the Count into the audience-room, where a long and intereſting conference took place; during which the Duke, as we are told, often fixed his eyes attentively on the King. When France was mentioned, he perceived ſymptoms of diſguſt and averſion: and, when the conqueſts of the Allies were touched upon, of ſatisfaction and pleaſure. When he named the Czar, the King's countenance was inflamed, and his eyes ſparkled with anger. He moreover remarked, that the King had a map of Muſcovy lying before him on the table. Hence he inferred, that the real object of the King's ambition was to dethrone the Czar, as he had already done the King of Poland—that he entertained no deſigns inimical to the Allies, and meant only to impoſe ſome hard terms upon the Emperor, with which the Court of Vienna would be obliged to comply; and, ſatisfied with the juſtneſs of theſe concluſions, he retired from the King's preſence without making any ſpecific propoſal*. After receiving the higheſt marks of diſtinction

* Voltaire, Lamberti, Burnet, &c.

which this ferocious Monarch ever perhaps conferred upon any individual, he took his leave of the King, and, paſſing through the Courts of Berlin and Hanover, arrived at the Hague, May the 8th 1707.

After the ſucceſsful campaign of 1706, the moſt ſanguine expectations were entertained that France, whoſe pride was now humbled in the duſt, would no longer be able to make any effectual reſiſtance; and that the Allies, as victors, might in a ſhort time dictate the terms of peace with the point of the ſword. The operations of the enſuing ſummer did not however in any degree tend to confirm theſe lofty ideas. The Duc de Vendome, who was re-appointed to the command in Flanders, choſe his poſts with ſo much ſkill and judgment, that the Duke of Marlborough could not without manifeſt raſhneſs venture upon an attack. This was the only campaign during the war, in which that great Commander did not obtain ſome ſignal advantage over the enemy; and the French General, whoſe policy it was to act upon the defenſive, fully ſuſtained his high reputation, by thus putting, after his Grace's long career of victories, a ſudden and total ſtop to the progreſs of his arms.

On the banks of the Rhine Marechal Villars met with conſiderable ſucceſſes. The Margrave of Bareith, who was appointed to the command

of

of the Imperialiſts on the death of the Prince of Baden, found himſelf ill able to oppoſe his progreſs. The French army, having paſſed the Rhine at Straſburg, forced the lines at Stolhoffen, eſteemed the rampart of Germany, laid the Dutchy of Wirtemberg under contribution, made themſelves maſters of Suabia, and penetrated to the Danube. But when Marechal Villars was meditating meaſures which might change the whole face of the war, he was compelled to weaken his army by ſending great detachments into Provence. Towards the end of the campaign the Elector of Hanover, at the earneſt requeſt of the Emperor and the Empire, aſſumed the command of the Imperial army, which he conducted with much judgment and prudence. And Count Merci having ſurpriſed and defeated the Marquis de Vivans at Offenburg, M. de Villars was forced to abandon his ſplendid projects, and repaſs the Rhine by Fort Louis into Alſace.

The diſappointment ſuſtained by the Allies on the ſide of Italy was proportionate to the high and confident hopes which had been previouſly excited. In the month of July (1707) Prince Eugene and the Duke of Savoy paſſed the Var at the head of 30,000 men, and marched directly towards Toulon, to which they laid cloſe ſiege. As the principal naval magazines of France, and the greater part of its fleet, were incloſed within its walls or its harbor, this enterpriſe excited a ge-

neral conſternation. The place was however defended with the moſt heroic valor; and Prince Eugene was ſuſpected, from his unuſual caution, to act under the reſtraint of ſecret orders. An enterpriſe which the ſpirit of adventure approaching to raſhneſs, only could render ſucceſsful, was protracted into length: and troops being aſſembled from all parts in great force for its relief, the Duke of Savoy, who feared leſt his retreat to Italy ſhould be intercepted, thought proper to raiſe the ſiege with precipitation, and to repaſs the Var, without any acquiſition of honor or profit from this undertaking, into his own dominions. Great blame was upon this occaſion imputed to the Emperor, who, careleſs and indifferent to the ſucceſs of an enterpriſe from which he could reap no benefit, had detached a large body of troops, originally deſtined for this purpoſe, to the kingdom of Naples, of which he effected a complete conqueſt: and this was the only advantage gained by the Allies during this unfortunate campaign, of which the moſt diſaſtrous events ſtill remain to be narrated.

If, on the ſide of Lombardy, Germany, and Flanders, the wiſhes and expectations of the Allies were not ſatisfactorily anſwered, in Spain they ſuffered a fatal reverſe. Don Pedro King of Portugal had departed this life December 9, 1706, and was ſucceeded by his ſon Don Juan V. who declared

declared that he would religiouſly obſerve all the engagements of his father. In a council of war, held at Valencia, February 1707, it was reſolved by the Marquis das Minas and the Earl of Galway, on the ſtrength of the re-inforcements lately arrived from England, to act offenſively, ſeek out the enemy, and endeavor to bring them to battle. The Earl of Peterborough, who had now returned to Spain, gave indeed his opinion in favor of a defenſive campaign; but this was by his enemies, and they were numerous, aſcribed merely to envy and hatred of the Earl of Galway, a General of great military ſkill and experience—of unimpeached integrity, of heroic valor, and remarkable for the modeſty of his diſpoſition and the ſuavity of his manners—and whoſe higheſt eulogium it was, that he poſſeſſed the entire affection, friendſhip, and confidence of that ſagacious obſerver and penetrating judge of men, the late King WILLIAM.

In conſequence of the reſolution actually taken, the Confederate army moved with their whole force to Yecla, where the Duke of Berwick had formed a grand depôt of proviſions and ſtores, which he abandoned at their approach. Encouraged by the unexpected and precipitate retreat of this General, they advanced to Portalegre, with a view to ſurpriſe him in his camp. But before this deſign could be effected, intelligence was received

ceived that the Duke, being joined by the re-inforcements he looked for, was on his march to attack the Allies. Both armies being now equally diſpoſed to try the event of a battle, the Earl of Galway proceeded, April 14 (1707), to the plains of Almanza, where he found the enemy, far ſuperior in number, drawn up and ready to receive him. The action extended from wing to wing. The centre of the Allied army, compoſed of Engliſh and Dutch infantry, fought with the greateſt gallantry, and drove the enemy before them. But the right wing, conſiſting entirely of Portugueſe troops, commanded by the Marquis das Minas in perſon, fled at the firſt onſet—and the left, where the Engliſh and Dutch cavalry were poſted, after incredible efforts of valor yielding to ſuperior force, the Duke of Berwick ordered his two wings to attack the main body in flank. But the Generals of infantry, forming the battalions into a hollow ſquare, retired from the field of battle with inconſiderable loſs. But night quickly came on. They were ſtrangers to the country, and did not know where to retire for ſafety. After marching nine hours, and fighting about ſix, they could move no farther. They had ſpent their ammunition, and had not ſo much as bread and water to refreſh themſelves with. Beſides this, they expected to be attacked next morning by the enemy, againſt whom they could make no effectual

reſiſtance,

reſiſtance, being totally abandoned by the cavalry. In theſe forlorn and deſtitute circumſtances, they came to the deſperate reſolution of ſurrendering themſelves priſoners of war, to the amount of 23 entire battalions. The Duke of Berwick is ſaid to have been aſtoniſhed, and ſcarcely to have credited the officer who brought the meſſage. The Portugueſe, and part of the Britiſh cavalry, with the foot that guarded the baggage, made good their retreat to Alcira, where the broken remains of the army mournfully aſſembled, after ſuſtaining a loſs of 14,000 men, excluſive of 800 officers; with all the artillery, equipage, ammunition, and ſtandards. Das Minas made an early eſcape with the Portugueſe cavalry to Xativa, and the Earl of Galway, who charged, firſt, as General, at the head of the leſt wing, and then as a volunteer in Fabreque's regiment of dragoons, retired reluctantly from the field, after receiving a dangerous wound on the head with a ſword. The day after the battle the Duke of Orleans arrived to take the command of the Spaniſh army, which had now acquired the moſt deciſive ſuperiority: and though the Earl of Galway did all that an active and able General could to retrieve ſo great a misfortune, and compenſate for the error into which he had been led by the exceſs of his zeal; yet Arragon and Valencia were gradually evacuated, and the campaign concluded with the ſiege and capture of Lerida.

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The naval hiſtory of the preſent year alſo, from cauſes impoſſible for human wiſdom to guard againſt, is moſt diſaſtrous. From the period of the diſmiſſion of Sir George Rooke, Sir Cloudeſley Shovel had commanded in the Mediterranean with high reputation—co-operating, agreeably to his orders, with the Duke of Savoy in the ſiege of Toulon, where, by univerſal acknowledgment, he performed all that could be expected from a great naval officer. He made himſelf maſter of two forts at the entrance of the harbour, he kept up a tremendous bombardment on the town, and deſtroyed or compelled the enemy to deſtroy not leſs than twenty ſhips of war lying there, near half of which were of the line of battle. On the miſcarriage of this expedition he left a ſtrong ſquadron under the command of Sir Thomas Dilkes for the Mediterranean ſervice, and ſailed from Gibraltar with the reſt of the fleet, conſiſting of fifteen ſail of the line, for England. On the 22d of October 1707, he had 90 fathom water in the ſoundings, and brought the fleet to, the weather being extremely hazy. Towards evening a freſh and apparently favorable gale ſpringing up, he made the ſignal for ſailing, ſuppoſing the Channel to be open. But by eight o'clock ſignals of diſtreſs were made by ſeveral of the fleet, who found themſelves, to their aſtoniſhment, upon the rocks to the weſtward of Scilly. The Aſſociation, in

which

which Sir Cloudeſley himſelf hoiſted his flag, ſtruck and inſtantly foundered with all the crew; as alſo the Eagle and Romney. The Royal Anne was ſaved by an extraordinary preſence of mind and activity in Sir George Byng and his men, who ſhifted the ſails when within a ſhip's length of a rock to the leeward. Lord Durſley in the St. George had, if poſſible, a ſtill more miraculous eſcape; for his ſhip was daſhed on the ſame ridge of rocks with the Aſſociation: and the ſame wave which was perceived to be fatal to the latter, ſet the St. George again afloat. Sir Cloudeſley Shovel's body, being the next day with many others caſt on ſhore and found on the ſtrand, was carried to London and interred in Weſtminſter Abbey, where a monument was erected in memory of this renowned Admiral, who ranks amongſt the greateſt ſea-commanders of that or any other age. Of undaunted reſolution and intrepidity, he was at the ſame time eminent for generoſity, frankneſs and integrity. Unverſed in the wiles and machinations of Courts, he was uniform and conſiſtent in his zeal for the liberty, and in his attachment to the religion, of his country. This great man was the artificer of his own fortune, and, by his perſonal merit alone, from the loweſt beginnings roſe to the higheſt ſtation in the navy. His loſs was regarded as national, and his tomb was conſecrated by the tears of his country. This terrible calamity was

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ill compenſated by the accounts which at this period arrived of the total deſtruction of the French fiſheries at Newfoundland—ſeveral frigates on that ſtation being taken or burnt, and upwards of 300 boats demoliſhed, with 70,000 quintals of fiſh.—Such are the triumphs of war! On the other hand, the French Admirals Fourbin and Du Guai Trouin attacked the Portugal and Weſt India fleets with ſucceſs, and captured ſeveral line-of-battle ſhips of the convoy.

The firſt Parliament of Great Britain was convened on the 23d of October 1707, when all the forms uſual in the beginning of a new Parliament were obſerved, and Mr. Smith was re-choſen Speaker. Freſh aſſurances were given of the reſolution of the two Houſes to ſupport the Queen in the vigorous proſecution of the war; and after much fruitleſs inveſtigation into the cauſes of the recent misfortunes in Spain, the Lords and Commons joined in a reſolution and addreſs, "that no peace could be ſafe or honorable for her Majeſty and her Allies, if Spain and the Weſt Indies were ſuffered to continue in the power of the Houſe of Bourbon." To which the Queen replied, "that ſhe was fully of opinion, that no peace could be ſafe till the entire Monarchy of Spain were reſtored to the Houſe of Auſtria."—The Tories were unanimous in magnifying the ſervices of the Earl of Peterborough, who being juſtly in diſfavor with the Miniſters

Miniſters for his extravagant and eccentric behaviour, and lately recalled by them, now threw himſelf upon the protection of the oppoſite party. The Whigs, on the other hand, vindicated the Earl of Galway, who publiſhed an excellent narrative of his own conduct, in anſwer to the accuſations brought againſt him by Lord Peterborough. Complaints were in return made againſt the accuſer, and letters of the King of Spain produced ſufficiently manifeſting the diſſatisfaction he had felt at the Earl of Peterborough's proceedings. Upon which the Earl brought ſuch a number of papers and ſo many witneſſes to the Bar to juſtify his conduct, that the Houſe, after ſitting day after day for near a fortnight, and waſting their time in endleſs readings and examinations, grew weary of the buſineſs —and, perceiving that the longer they inveſtigated the more they were puzzled and perplexed, the whole buſineſs was ſuffered to fall to the ground without coming to any vote or reſolution reſpecting it.

A remarkable debate took place during this ſeſſion, relative to Scotland. Notwithſtanding the union of the Legiſlatures, it was ſtill a doubt whether a diſtinct Executive Government ſhould not be maintained in that kingdom. But the Houſe of Commons were determined againſt it, and a Bill was introduced, and paſſed by a great majority, "for rendering the Union of the two Kingdoms

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more entire and complete;" by which it was poſitively enacted, "that there ſhould be but one Privy Council in the Kingdom of Great Britain. The utmoſt influence of the Court was exerted againſt this Bill when ſent up to the Houſe of Lords, where it paſſed at length with great difficulty, and to the extreme diſcontent of the Miniſters, or rather the Courtiers, on a cloſe diviſion of 50 to 45 voices.

Early in February 1708 happened an important change in the Adminiſtration, by the diſmiſſion of Mr. Harley, Secretary of State, and the promotion of Mr. Boyle, Chancellor of the Exchquer, to that office; who was ſucceeded by Mr. Smith, Speaker of the Houſe of Commons. Mr. St. John, Secretary at War, and Sir Simon Harcourt, Attorney General, choſe to follow the fortunes of Mr. Harley, and reſigned their places; the former of which was given to Mr. Robert Walpole, now diſtinguiſhed for his great Parliamentary talents and capacity for buſineſs: and Sir James Montague was made Attorney General. The Lords Godolphin and Marlborough had for a long time paſt been very uneaſy at the ſecret practices of the late Secretary, and the dangerous intrigues carrying on by him in conjunction with Mrs. Maſham. At length they avowed their determination to ſerve the Queen no longer, if he was continued in that poſt. The Queen endeavored in vain, by the moſt

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ſoft and ſoothing expreſſions, to divert them from this reſolution; and being herſelf equally inflexible, theſe great Noblemen, to the aſtoniſhment of all, actually withdrew from Court. Shortly after, the Queen, greatly indignant, repaired to the Cabinet Council, where Mr. Harley attempted to ſtate ſome particulars relative to foreign affairs; on which the Duke of Somerſet ſaid, "he did not ſee how they could deliberate on ſuch matters in the abſence of the General and the Treaſurer." The other Members preſent plainly acquieſcing in this ſentiment, the Council broke up in diſorder; and the Queen, ſending for the Duke of Marlborough, told him Mr. Harley ſhould reſign; which he did within two days. But from this æra the Queen harbored the deepeſt reſentment againſt the Duke and the Treaſurer, and manifeſted an incurable alienation from the Whigs.

It is a ſubject of mere ſpeculation, how far the Queen might in time have been incited to adopt new meaſures and new counſels to the prejudice of that party, if ſhe had not been thus impoliticly urged and irritated. Certain it is, that the Ducheſs of Marlborough, who had ſo many years poſſeſſed an abſolute aſcendent over her mind, now no longer retained the ſmalleſt degree of influence. But the Queen, who at preſent feared as much as ſhe had once loved her, was ſtill anxiouſly deſirous of keeping up appearances, and of maintaining a

civil correſpondence. Nothing is more difficult than to recover affection which from any cauſe has fallen into the wane. The natural progreſs is from coldneſs to diſlike. But the conduct of the Ducheſs, when ſhe diſcovered that the Queen's partiality was transferred to another, was that of a woman frantic with rage and jealouſy. Tears, ſolicitations, upbraidings, reproaches, ſucceeded each other without intermiſſion, till ſhe made herſelf equally the object of hatred and contempt. But till the forcible reſignation of Harley there is no good ground to believe that the Queen entertained any ſerious thoughts of a political change: her only object ſeems to have been, to aſſert the privilege of having a few perſons about her, to whom ſhe could talk freely and confidentially; and to whom, however hopeleſs of relief, ſhe could make her complaints and expreſs her reſentment of the hard conſtraints impoſed upon her. Even after the diſmiſſion of Harley, her eaſy and timid diſpoſition probably would not have harbored the idea of exerting ſo mighty an effort as was neceſſary to throw off the yoke of the Marlborough connection, if ſubſequent circumſtances had not in a remarkable and unexpected manner favored a revolution in politics. In a letter written to the Ducheſs of Marlborough, in the month of October 1707, in anſwer to the menaces thrown out by the General and Treaſurer, the Queen ſays: "I never did

did nor ever will give them any juſt reaſon to forſake me; and they have too much honor, and too ſincere a love for their country, to leave me without a cauſe: and I beg you would not add that to my other misfortunes, of puſhing them on to ſuch an unjuſt and unjuſtifiable action." She even condeſcended, in a ſubſequent letter to the Ducheſs, to uſe the fondeſt language, ſummoning up perhaps all the remains of her former affection, and entreating her "to baniſh all unkind and unjuſt thoughts." Her extreme earneſtneſs gives a degree of pathos to her expreſſion. "Indeed," ſays the Queen to her imperious friend, "I do not deſerve them; and if you could ſee my heart, you would find it as ſincere as tender, and paſſionately fond of you as ever, and as truly ſenſible of your kindneſs in telling me your mind freely upon all occaſions. Nothing ſhall ever alter me." But the Ducheſs, far from adopting that mild and conciliatory mode of conduct which could alone reclumine the almoſt extinguiſhed affection of the Queen, or ſecure her own intereſted purpoſes, perſevered in treating her with a violence and rudeneſs of deportment which in a ſhort time enſured a complete victory to her rival Mrs. Maſham. But theſe are particulars which, however accidentally connected with general politics, ſeem ſomewhat trifling and frivolous —rather appertaining to the Memoirs of a Court, than to the Hiſtory of a Nation.

Shortly after this breach at Court the Nation was alarmed with the news of an invaſion. Encouraged by the daring ſpirit of faction and diſaffection now prevailing in Scotland, incited by the earneſt invitations of a prodigious number of perſons of rank and property in that Kingdom, and deſirous perhaps to avenge the inſult he had recently ſuffered at Toulon, the French King at length equipped a powerful armament, with a view of making a deſcent in that Kingdom; on board of which embarked the Chevalier de St. George, ſon of the late King James. Immediately on ſailing from Dunkirk they were cloſely purſued by an Engliſh ſquadron, commanded by Sir George Byng, who captured, near the Frith of Forth, one of their flag-ſhips; and the whole armament was ſo ſcattered and diſperſed in their retreat from the action, that they could not even effect a landing, which might, or rather muſt, at the preſent criſis, have been attended with very ſerious conſequences. And, after being toſſed for more than a month in a ſtormy and tempeſtuous ſea, they at laſt found their way back in a ſhattered and diſtreſſed condition to the port of Dunkirk. On this occaſion the moſt firm and vigorous meaſures were taken by the Government—ſuch, however, as ſufficiently demonſtrated the ſenſe it entertained of the magnitude of the danger. The Habeas Corpus Act was ſuſpended—the Abjuration

Oath

Oath was tendered to all perſons—and thoſe who refuſed it were declared to be in the condition of convict recuſants. A vote of credit paſſed the Houſe of Commons, and twelve battalions of troops were ordered immediately from Flanders. The Queen herſelf, in a ſpeech to both Houſes, informed them of this alarming attempt to invade the Kingdom, and to ſubvert the Government; and declared, for the firſt and the laſt time, as many failed not to remark, "that her firmeſt reliance was placed on thoſe who were chiefly concerned in effecting the glorious Revolution." In this popular Speech, the Chevalier de St. George was, by a new deſignation, ſtyled THE PRETENDER, which term was re-echoed in the numerous addreſſes preſented to the Queen from every part of the kingdom: and by this appellation he was in future uſually diſtinguiſhed. Soon after the termination of this buſineſs, the Parliament, which had now ſitten three years with the higheſt reputation to itſelf and advantage to the public, was diſſolved: and a new Parliament ſummoned to meet in November (1708), in which the Whig intereſt ſtill maintained its aſcendency.

The Duke of Marlborough, embarking for Holland on the 29th of March, arrived in a few days at the Hague, where he met with Prince Eugene, with whom and the Grand Penſionary Heinſius, accompanied by the Deputies of the States, he held

a long conference reſpecting the future operations of the war. The Duke of Marlborough was inveſted with the dignity of Ambaſſador Extraordinary, whereas Prince Eugene ſuſtained no diplomatic character; conſequently the Duke was entitled to the precedency. But it was remarked that his Grace, on entering the room, took Prince Eugene by the hand, and led him to a place above his own. Such is the indifference or contempt with which men of elevated minds regard the frivolous diſtinctions of etiquette. Having ſettled the plan of the campaign, theſe two illuſtrious heroes and ſtateſmen repaired to the Court of Herenhauſen, where they were entertained with all thoſe marks of eſteem and regard which their great and ſignal ſervices merited. The Elector was prevailed upon again to aſſume the command of the Army upon the Rhine; and Prince Eugene and the Duke of Marlborough, emulous, not envious, of each other's glory, had the ſatisfaction to ſerve together in Flanders.

The King of France, emboldened by the ſucceſs of the laſt campaign, and confiding in the talents of his General M. de Vendome—though the ſupreme command, to the riſque or rather the ruin of all their meaſures, was veſted in the Duke of Burgundy, eldeſt ſon of the Dauphin—ſeemed this year inclined to act more upon the offenſive: and early in the ſummer the cities of Ghent and

Bruges

Bruges were ſurpriſed by a detachment from the French army; after which the Duc de Vendome ſat down before Oudenard. Prince Eugene, after a ſhort interval of abſence, having now rejoined the army with a great reinforcement from Germany, the Allied Generals advanced with ſwift marches to the relief of that place; on which the enemy raiſed the ſiege with precipitation, and retreated towards the Scheld, which the main body of the French army paſſed at Gaver. The intention of M. Vendome was to attack the Allies when the troops were divided by the river: and he had made his diſpoſitions accordingly. But the pride and ignorance of the Duke of Burgundy fruſtrated this plan, and the French army was thrown into confuſion by a variety of inconſiſtent movements; when the army of the Allies, having croſſed the Scheld without oppoſition, appeared in ſight, and it was too late to think of a retreat. The attack ſoon became general throughout the whole extent of thoſe vaſt armies. The Imperial and Engliſh Generals charging at the head of their reſpective troops with a conduct and valor worthy of their high renown, the French were borne down on all ſides, unable to ſuſtain the ſhock. The Electoral Prince of Hanover had a diſtinguiſhed ſhare in the glory of the day—leading on the Hanoverian cavalry ſword in hand to the attack of the houſehold troops of France with brilliant ſucceſs, whilſt

the *Pretender*, who accompanied the Duke of Burgundy, and *ſaw* the engagement from the ſteeple of an adjacent village, was amongſt the firſt to quit the field. The brave Veldt-Marechal Auverquerque, though in a languiſhing condition, and worn with the fatigues of thirty campaigns, exerted his expiring vigor on this occaſion, diſplaying all the ardor if not all the activity of youth. The orders of the Duke of Burgundy during the engagement manifeſted the groſſeſt deficiency in military ſcience; but M. de Vendome acted the part of a great commander on this occaſion, rallying in perſon the broken battalions, calling the officers by name, and conjuring them to maintain the honor of their country. The French army was in the end entirely defeated. Night however ſaved them from total ruin; and the Duc de Vendome, ſeeing all hope of retrieval loſt, formed his beſt troops into a rear-guard, with which he ſecured a tolerable retreat. But the loſs ſuffered by the French did not amount, on the loweſt computation, to leſs than 14 or 15,000 men; and above 100 ſtandards and colors were taken. The Marquis de Feuquieres acknowledges, "that the confuſion which pervaded the French army was ſuch, that the troops were neither ſenſible where they fled nor by whom they were conducted;"—and the extraordinary ability and preſence of mind of the Duc de Vendome

dome alone ſuſtained the ſinking fortunes of France.

In conſequence of this important victory, the Generals of the Allies determined to undertake the ſiege of Liſle, the capital of French Flanders—a town on the fortifications of which Vauban had exhauſted his utmoſt ſkill, and which was defended by a garriſon ſo numerous, commanded by an officer of ſuch experience and valor, the Marechal de Boufflers, that the ſucceſs of the enterpriſe was adjudged extremely doubtful. All the great military talents of the Duc de Vendome were exerted to obſtruct the progreſs of the ſiege, and to avert if poſſible the impending cataſtrophe. He was particularly indefatigable in concerting meaſures for cutting off the convoys, of which the camp before Liſle ſtood in need. And by throwing up entrenchments 70 miles in length, ſtrongly fortified with cannon, he actually ſecured the paſſes of the Scheld, and cut off all communication by that river: upon which all things neceſſary for the army and ſiege were in future ſent by the incommodious route of Oſtend. A grand convoy being expected from that place, entruſted to the care of General Webb, with a guard of about 6000 men; the Duc de Vendome detached the Count de la Motte with a body of choſen troops, amounting to 40 battalions and 60 ſquadrons, for the purpoſe of intercepting it. As ſoon

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as the advanced guard of the Engliſh arrived at the paſs of Wynendale, they perceived the enemy drawn up in the diſtant plain. No ſooner had the Engliſh cleared the defile, than General Webb poſted his ſmall force in the opening contiguous to the wood of Wynendale, planting ſeveral regiments in ambuſcade under cover of the wood on the right and a low coppice oppoſite to the wood on the left. The French, advancing with the utmoſt confidence to the attack, received an unexpected fire on both flanks, which threw their whole line into confuſion. Still, however, preſſing forward, and aſhamed to retreat, they again received the ſame ſalute; and the diſorder increaſed, till the wings were forced upon the centre; and, a general panic taking place, in ſpite of all the efforts of their officers they ſought for ſafety in a precipitate flight, leaving more men dead and wounded upon the field than were equal in number to the whole of the army oppoſed to them. It was allowed by all, that if this great convoy of 800 waggons had been intercepted, the ſiege muſt have been raiſed; ſo that the ſuperior fortune rather than ſkill of the Duke of Marlborough was apparent in ſurmounting this and the other obſtacles which the ability and vigilance of the Duc de Vendome, ſtill more than the unrivalled art of the engineer, continually created. This important town and its citadel at length ſurrendered to the Allied Army, after a reſolute

ſolute and noble defence, December 10th, to the inexpreſſible chagrin of the French Court, who ſaw the frontier of France by this conqueſt expoſed to the moſt dangerous future attacks. Ghent and Bruges were alſo recovered before the end of the campaign, which terminated only with the year.

The armies on the Rhine were this ſummer commanded by the Electors of Bavaria and Hanover. Both Generals were ſo weak and ſo equally ill provided, that they were not able to undertake offenſive operations on either ſide; and after a ſhort and ineffectual campaign, they retired into winter quarters.

The miſcarriage before Toulon did not deter the Duke of Savoy from attempting, during the preſent ſummer, another invaſion of France. Bending his march towards Savoy over Mount Cenis, he ſuddenly turned ſhort; and, eluding the vigilance of M. Villars, made himſelf maſter of Exilles, Fort la Perouſe, and the Citadel, lately erected, of Feneſtrella: by which conqueſts he not only ſecured his own territory from inſult, but gained a free paſſage into the enemy's country. Theſe ſieges drew out into ſuch length, that the ſnow began to fall before Feneſtrella capitulated.

At the end of the diſaſtrous campaign of 1707, the Earl of Galway and the Marquis das Minas had returned under convoy of an Engliſh fleet to Portugal: and in order that the war in Spain might be

be proſecuted with renewed ſpirit and vigor, the Emperor appointed to the chief command in Catalonia Count Staremberg, a General of tried ability and experience, and ſecond in reputation only to Prince Eugene; and General Stanhope ſucceeded the Earl of Galway in the command of the Engliſh Auxiliaries. The campaign was opened by the Duke of Orleans with the ſieges of Tortoſa and Denia, both of which places ſurrendered after no memorable reſiſtance; the Imperial General not being ſufficiently in force to attempt their relief; and the expectation of recovering their ſuperiority in the field was wholly diſappointed—the whole ſummer paſſing in mere defenſive operations. In the mean time, Sir John Leake made a complete conqueſt of the Iſland of Sardinia, and, in concert with General Stanhope, alſo of Minorca, ſo celebrated for its noble and capacious harbor of Mahon. And the Pope was menaced by the Britiſh Admiral with the bombardment of Civita Vecchia, in return for the aſſiſtance he had publicly afforded the Pretender on his late expedition to Scotland. From this affront, however, the Holy Pontiff was ſaved by the ſeaſonable interpoſition of the Imperial Court in his favor; for his Holineſs had at length, though not without the greateſt reluctance, and in conſequence of the near and alarming approach of the Germanic army

from Lombardy towards Rome, recognized the Archduke as King of Spain.

In the month of May in the preſent year Commodore Wager, who commanded in the Weſt Indies, ſignalized himſelf by an attack upon the Spaniſh plate-fleet, on its paſſage from Carthagena to Porto Bello. The fight began at ſun-ſet; and ſoon after it was dark the Spaniſh Admiral blew up with a tremendous exploſion. The Rear Admiral ſtruck about two in the morning, and the Vice-Admiral eſcaped in a ſhattered condition. Another large ſhip of 40 guns was run aſhore and burnt, and the remaining ſhips were with difficulty ſaved by the intervention of the dangerous ſhoal off Carthagena, known by the name of the Salmadinas.

A ſingular incident happened about this time in London, which was the public arreſt of the Count de Matueof, the Ruſſian Ambaſſador, in the open ſtreet, by certain tradeſmen to whom he was largely indebted. This affair made a great noiſe, all the foreign Ambaſſadors intereſting themſelves as parties in demanding ſignal reparation for ſo groſs an inſult: and the Count declared in a letter to Mr. Boyle, Secretary of State, that if the *criminals* were connived at under any color whatſoever, he ſhould inſtantly depart the Kingdom—leaving to the Czar his maſter the protection of his injured honor. The Queen expreſſed great regret and reſentment

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at the indignity offered, and ordered a proſecution to be inſtituted againſt the offenders by the Attorney General. But this did by no means ſatisfy the Ambaſſador, who retired into Holland, whence he tranſmitted a letter from the Czar to the Queen, requiring, that *capital puniſhment* be inflicted upon all concerned in this atrocious aſſault. But this deſpotic Monarch, who had acquired ſome ideas of civilization, but none of liberty, was aſtoniſhed to be informed, that in England the laws were no leſs obligatory upon the Sovereign than the Subject, and that *they* authoriſed no ſuch puniſhment. The perſons who committed the arreſt were tried in the Court of Queen's-Bench by Lord Chief Juſtice Holt, and found *guilty*. But, on arguing the point of law, the Court was finally compelled to diſmiſs the action. In order, however, to give all the ſatisfaction poſſible to the Czar, an Act was ſubſequently paſſed for ſecuring the privileges of Ambaſſadors and Foreign Miniſters; a beautiful copy of which, finely illuminated and tranſcribed on vellum, was preſented to the Czar by Mr. Whitworth the Engliſh Envoy; who at the ſame time acknowledged and apologized, by the Queen's order, for the previous inſufficiency of the Engliſh laws to puniſh ſo heinous an offence. On which the Czar graciouſly declared his acceptance of the apology, verbally to the Envoy, and alſo by a letter written with his

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own hand to the Queen; and this embarraſſing buſineſs was finally adjuſted with much good ſenſe and good temper on both ſides.

On the 28th of October 1708 died his Royal Highneſs Prince George of Denmark, who had been 25 years married to the Queen. His total want of talents, his unaſpiring diſpoſition and mildneſs of temper very happily combined to qualify him for the peculiarly critical ſtation in which high fortune had placed him, and in which a man of more ſhining abilities and more daring ambition might have proved ſingularly troubleſome and dangerous. The Earl of Pembroke ſucceeded the Prince in the elevated poſt of Lord High Admiral, though already ſuſtaining the offices of Preſident of the Council and Lord Lieutenant of Ireland, both of which he now reſigned. The former was given to Lord Somers, and the latter to the Earl of Wharton. And the Earl of Pembroke finding the buſineſs of the Admiralty too burdenſome, it was after a ſhort interval again put into commiſſion —the Earl of Orford being Firſt Lord Commiſſioner. The Adminiſtration now, therefore, was once more conſtituted entirely of Whigs, who, to outward appearance, were fixed on a firm and immoveable foundation: but the ground was undermined beneath them; and they were themſelves but too ſenſible that they no longer poſſeſſed the regard or confidence of the Sovereign.

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The new Parliament met on the 16th of November 1708, and choſe Sir Richard Onſlow Speaker. On account of the recent death of the Prince of Denmark, the Queen did not open the Seſſion in perſon; but the Lord Chancellor, in the name of the Commiſſioners, delivered a Speech on the uſual topics, concluding with the declaration, "that her Majeſty will always endeavor, on her part, to make her people happy to ſuch a degree as that none ſhall enter into meaſures for the diſturbance of her Government, the Union, or the Proteſtant Succeſſion as by law eſtabliſhed, without acting at the ſame time manifeſtly againſt their own true and laſting intereſt, as well as their duty." The Whigs having a decided aſcendency in this Parliament, there was little ſcope for important or intereſting debate during the preſent ſeſſion. A few queſtions, however, occurred worthy of hiſtoric notice. The Lords Haddo and Johnſtown, eldeſt ſons of Scottiſh Peers, being returned as Repreſentatives of the Shires of Aberdeen and Linlithgow, petitions were preſented againſt them as incapable by the Act of Union of ſitting in the Houſe of Commons. By an Act of the Scottiſh Parliament, regulating the mode of electing 16 Peers and 45 Commoners of that Kingdom to repreſent Scotland in Parliament—and ratified by the Act of Union, it was declared, "that none ſhall be capable to elect or be elected

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to repreſent a Shire or Burgh in the Parliament of Great Britain, but ſuch as are now capable to elect or be elected as Commiſſioners for Shires or Burghs to the Parliament of Scotland." And ſeveral inſtances were alleged of the rejection of the eldeſt ſons of Peers by the Scottiſh Parliaments —particularly the ſon of Viſcount Tarbat in 1685, and of Lord Levingſtone in 1689. The caſe being clearly made out, new writs were iſſued for the Counties of Aberdeen and Linlithgow.

The Duke of Queenſberry having been created an Engliſh Peer by the title of Duke of Dover, and taken his ſeat in Parliament as ſuch, had nevertheleſs claimed his privilege of voting as a Peer of Scotland in the election of the Sixteen Peers. This precedent was objected againſt as inequitable and dangerous, and, on a diviſion, the matter in diſpute was determined againſt the Duke of Queenſberry, though ſupported by the influence of the Court. This Nobleman now occupied the office of Third Secretary of State; and to him was committed the entire management of the affairs of Scotland.

A remarkable law, originating in the terrors excited by the late invaſion, was paſſed in the courſe of the preſent Seſſion for the Regulation of Trials for High Treaſon in Scotland. By a clauſe of this Act, torture was aboliſhed, and the forms of procedure in the Scottiſh Judicatures were aſſi-

milated nearly to the mild and equitable practice of the Engliſh Courts. But, as a heavy drawback on this indulgence, the pains and forfeitures of the Engliſh law were extended to Scotland. This was vehemently oppoſed by the Scottiſh Members, who declared it to be incompatible with the perpetual entails of the greater part of the Scottiſh landed eſtates; and ſince by the Act of Union all private rights were expreſsly reſerved, it was inferred that no breach could be made on thoſe ſettlements. After much debate, the Houſe of Commons inſerted a clauſe, that no eſtate in land ſhould be forfeited upon a judgment of high treaſon. The Lords agreed to the amendment with this proviſo—moved, as Hiſtory cannot without conſcious bluſhes ſtate, by Lord SOMERS—"that it ſhould not take place till after the death of the Pretender." This made the Bill odious in Scotland, notwithſtanding the general mildneſs and equity of its proviſions; and the term of its duration being at a ſubſequent period extended to the death of the ſons of the Pretender, it ſtill unhappily exiſts a monument of national revenge and injuſtice.

Towards the end of the ſeſſion an Act of Grace, expreſſed, as the enemies of the Miniſter maliciouſly obſerved, in terms remarkably full, pardoning all treaſons, &c. committed before the 19th April 1708, paſſed without any difficulty, and with

the uſual compliment of thanks; and on the 21ſt of April 1709 the Parliament was prorogued.

During the whole of the preſent ſeſſion, under the auſpicious direction of the preſent Whig Miniſters, the Convocation was not ſuffered to ſit. For when the day came on which it was to be opened, a writ was ſent from the Queen to the Archbiſhop, ordering him to prorogue the Convocation for ſome months; at the end of which term came a ſecond writ ordering a ſecond prorogation: by which means a ſtop was put to much factious clamor, noiſe, and nonſenſe. But the High-Church party gave out that the Queen's heart was with them, though the war and other circumſtances obliged her at preſent to favor the adverſe party—which indeed was the real truth.

FRANCE being now reduced to great extremities by the unparalleled ſeries of misfortunes which had attended her arms, as well as by the decline and almoſt extinction of public credit from the unjuſt and deſpotic meaſures of finance adopted by the Court, again entertained ſerious thoughts of peace; and after the departure of the Duke of Marlborough to England, M. Rouillé was ſent to Holland to treat with the States upon the ſubject. But their High Mightineſſes, though they permitted him to enter the country, would admit no communication without the knowledge and participation of their Allies the Queen of England and

the Emperor. In the beginning of April 1709, Prince Eugene and the Duke of Marlborough arrived at the Hague, and in concert with the Penſionary and the Deputies of the States held ſeveral conferences with M. Rouillé; whoſe overtures were declared to be unſatisfactory, and the Duke returned in a few days to London. The French Court, unwilling to relinquiſh all hope of pacification, reſolved upon this intelligence to ſend M. de Torcy, Miniſter for Foreign Affairs, to the Hague, in perſon, in order to renew the negotiation. The Duke of Marlborough and Lord Townſhend, a young Nobleman riſing into political eminence, and now joined with the Duke in this important commiſſion, immediately repaired thither a ſecond time: and Count Zinzendorf alſo arrived nearly at the ſame time from Vienna as joint Plenipotentiary with Prince Eugene. The conferences were now revived with freſh ardor; and ſuch conceſſions made by M. de Torcy on the part of the French King as the dire neceſſity of his affairs demanded—ſuch indeed as amply ſecured the intereſts, and ought to have ſatisfied the utmoſt ambition of the Allies. The French Miniſter, having gone without avail to the utmoſt extent of his Commiſſion, required a ſpecification of the terms on which the Allies would grant peace to France. Preliminary Articles were accordingly framed and even ſigned by the Ambaſſadors of the Allied

Powers;

Powers; which M. de Torcy was authorized to lay before his Moſt Chriſtian Majeſty, and to which he promiſed that a final anſwer ſhould be given on or before the 4th of June enſuing (1709). The Articles imported in ſubſtance, "That the Moſt Chriſtian King ſhall acknowledge Charles III. as King of Spain; that in two months Sicily ſhall be put into the hands of King Charles; and the Duke of Anjou ſhall evacuate Spain; to which if he refuſes his conſent, the French King and the Allies ſhall enter into proper meaſures for its enforcement—that the French King ſhall deliver up Straſburg and Landau to the Emperor, and demoliſh New Briſac, Fort-Louis, and Huninghen—that he ſhall acknowledge the Queen of Great Britain and the Proteſtant Succeſſion—that he ſhall demoliſh Dunkirk, and cauſe the Pretender to retire from France—that he ſhall deliver up Furnes, Menin, Ypres, Warneton, Commines, Werwick, Poperingen, Liſle, Condé, and Maubeuge for the barrier of the States—that he ſhall make over Exilles, Feneſtrella, and Chemont, with the valley of Pragelas, &c. for a barrier to the Duke of Savoy—that the *pretenſions* of the Electors of Bavaria and Cologne ſhall be referred to the general negotiation—that the Allies ſhall be allowed to make farther demands at the General Congreſs—that the ſuſpenſion of arms ſhall terminate at the end of two months if the whole Spaniſh Monarchy

be not ſurrendered up before that time." The King of France, deriving courage from deſpair, determined to reject theſe exorbitant demands; and on the 4th of June, Prince Eugene, being then at Bruſſels, received a letter from M. de Torcy, importing that his Moſt Chriſtian Majeſty, having examined the Project of Peace concluded at the Hague, found it impoſſible for him to accept it. The article which chiefly influenced his deciſion was the laſt, which, as he affirmed, made the continuance of peace to depend upon a condition not in his power to execute—though he conſented to recognize the Archduke as King of Spain, and to withdraw all aſſiſtance from the reigning Monarch.

This negotiation, though unſucceſsful, anſwered nevertheleſs a good purpoſe to the King of France, who in an Appeal to the French Nation ſtated the preliminaries inſiſted upon by the Allies. "I order you," ſays the Moſt Chriſtian King in his circular letter to the Archbiſhops and Biſhops of his kingdom, "to acquaint my people within the extent of your Government, that they ſhould enjoy peace if it had been in my power, as it was in my will, to procure them a good they wiſh for with reaſon; but which muſt be obtained by new efforts, ſince the immenſe conditions I would have granted are uſeleſs towards the reſtoring of the public tranquillity." This had a powerful effect upon that great

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and high-ſpirited people, who declared their readineſs to ſuffer all, and to ſacrifice all, rather than ſubmit to ſuch ignominy. Even in England the impreſſion made was very viſible. It ſeemed unnatural, and contrary to every feeling of humanity, to compel the King of France to become a party in dethroning a Prince of his own blood. All perſons of moderation and reflection ſaw clearly, from the terms now offered and refuſed, that the war was in future to be continued merely to gratify the immeaſurable ambition of the Houſe of Auſtria; and that, excluſive of the flagrant injuſtice of forcing on the Spaniards a Sovereign who was the object of the national abhorrence, the policy of the meaſure was in preſent circumſtances extremely doubtful. For, the power of France being ſo greatly reduced while the grandeur of the Imperial family was elevated in the ſame proportion, no leſs danger was to be apprehended from transferring Spain and the Indies to the Houſe of Auſtria than by leaving them in poſſeſſion of a Prince of the Houſe of Bourbon. From this æra the unpopularity of the war and of the exiſting Whig Adminiſtration may undoubtedly be dated. The Tories ſaw and improved the advantage thus impoliticly afforded them *; and, to the honor of the people

* Vide Swift's Conduct of the Allies—a tract of great importance, as containing an excellent and admirable ſummary of the Tory arguments againſt the war.

of England, no ſooner were they convinced of the injuſtice of the war than it became the ſubject of general reprobation. "There may," ſays Lord Chancellor Clarendon, "be better earth, better air, and a warmer ſun in other countries; but England is an incloſure of the beſt people in the world, when they are well informed and inſtructed."

All negotiation being now at an end, the campaign in Flanders was opened in June 1709 by the ſiege of Tournay, which ſurrendered at diſcretion, after a long and obſtinate reſiſtance. The Allies next prepared to attack the city of Mons. But the French army, now commanded by Marechal Villars, poſting themſelves behind the woods of La Merte and Tanieres, in the neighborhood of Malplaquet, in order to obſtruct this deſign; the Duke of Marlborough and Prince Eugene formed a reſolution to attack the French General in his camp, which, naturally ſtrong, he had fortified with redoubts behind redoubts and entrenchments behind entrenchments, with ſuch diligence and ſkill as to make it apparently inacceſſible. After an obſtinate, fierce and bloody engagement, however, the lines were forced; but not till 30,000 men were left dead upon the field—a horrid ſacrifice to the inſatiable Demon of war. Marechal Villars, after a ſignal diſplay of ſkill and valor, was wounded, and compelled to retire from the ſcene of action: but Marechal Boufflers, ſecond in command, made

an excellent retreat; and the loſs of the victors was little leſs than that of the vanquiſhed. The victory, however, was crowned by the taking of Mons; after which both armies went into winter quarters.

The Elector of Hanover again took upon him the command of the army upon the Rhine; but Count Merci, being detached with a conſiderable body of troops to make an incurſion into Franche Comté, was repulſed with loſs by M. Harcourt, who conducted the oppoſite army: and the remaining operations of the campaign were entirely defenſive.

A diſpute ariſing between the Courts of Vienna and Turin reſpecting the promiſed ceſſion of ſome diſtricts of the Milaneſe to the latter, the Duke of Savoy refuſed to take the field this year in perſon; and his General, Count Thaun, after ſome feeble efforts to penetrate into the French territory, repaſſed the Alps, and marched back to Piedmont about the end of September.

The Spaniſh and Portugueſe armies on the frontier of Portugal were prepared for action early in the ſpring; and the Marquis das Minas, contrary to the advice of the Earl of Galway, determining to paſs the Coya in face of the enemy commanded by the Marquis de Bay, was defeated with loſs—the Britiſh infantry, as uſual, fighting heroically, and being abandoned as uſual by the Portugueſe cavalry,

cavalry. The Earl of Galway, as brave as unfortunate, had a horſe ſhot under him, and very narrowly eſcaped being taken. This able General afterwards choſe his poſts along the Guadiana, to the banks of which he retreated, ſo judiciouſly that the Marquis de Bay could make no advantage of his victory.

On the eaſtern ſide, the town and caſtle of Alicant ſurrendered to the Spaniards, after a long and moſt pertinacious defence. The enemy, who had formed the blockade early in the month of December 1708, finding all other means ineffectual, reſolved to blow up the rock on which the caſtle ſtands; and a mine being excavated with immenſe labor was filled with 1500 barrels of powder. The Chevalier D'Asfeldt, who directed the operations of the ſiege, generouſly reluctant to carry his purpoſe into execution, ſummoned the Governor, Colonel Syburg, to ſurrender, and at the ſame time permitted him to ſend out two of his officers to view the condition of the mine. This produced no change in the reſolution of the Governor; and, the ſignal being next day made for firing the mine, he walked with ſeveral officers to the parade, and ordered the guard to retire: which was no ſooner done but the mine was blown up, and with little or no noiſe made, on the very parade, an opening in the rock of ſome yards in length and about three feet wide, into which the Gover-

nor

nor and divers other officers fell; and, the opening inſtantly cloſing upon them, they all periſhed. Notwithſtanding this horrid cataſtrophe, Colonel D'Albon, upon whom the command devolved, refuſed to capitulate. Great admiration being excited by ſo extraordinary a defence, a council of war was held at Barcelona, in order to concert effectual meaſures for their relief: and General Stanhope in perſon undertook the command of an armament deſtined for that purpoſe; but the weather proved ſo tempeſtuous that the troops could not diſembark. At length, proviſions failing, and the garriſon being reduced to extremity, General Stanhope ſent a flag of truce to the Spaniſh Commander, offering to ſurrender the caſtle of Alicant upon honorable terms; which were granted without heſitation, and the garriſon marched out, on the 18th of April 1709, with two pieces of cannon and all the honors of war, and were immediately embarked for Minorca, and diſtributed into quarters of refreſhment. On the frontier of Catalonia Marechal Staremberg paſſed the Segra, and captured the town of Balaguer—the garriſon being made priſoners of war: after which exploit he contented himſelf with acting upon the defenſive, and by his vigilance and ſkill he prevented the enemy from gaining, with all their ſuperiority of force, any advantage over him.

The autumn of this year was diſtinguiſhed by the total

total defeat of the King of Sweden by the Czar at Pultowa. Reſolving to invade Muſcovy, he had engaged himſelf ſo far in the Ukraine that there was no poſſibility remaining of retreat. He therefore, relying upon his fortune, paſſed the Nieper, and inveſted the important fortreſs of Pultowa. The Czar marched at the head of a far ſuperior army to raiſe the ſiege. The King of Sweden nevertheleſs determined to riſque a battle: but he ſoon found that he had not now to contend with the undiſciplined rabble of Narva. The Czar, by unwearied aſſiduity and perſeverance, had converted his boors into ſoldiers. There was alſo no mean diſplay of generalſhip on the part of the Ruſſians; and in the end the Swedes were compelled to quit the field with the loſs of their camp, artillery and baggage. Being cloſely purſued, the whole army, having neither bread nor ammunition, found themſelves reduced to the dreadful neceſſity of ſurrendering as priſoners of war. The King of Sweden himſelf, with a few followers, paſſing the Nieper, took refuge in the Turkiſh dominions, fixing his reſidence at Bender. Upon this great reverſe of his affairs, King Auguſtus, declaring his renunciation of the Crown forced and void, returned to Poland; which his rival Staniſlaus was in no leſs haſte to abandon, finding himſelf utterly unable to make any effectual reſiſtance. The Kings of Denmark and Pruſſia embraced this apparently favorable opportunity

portunity to renew the war againſt Sweden. But the Danes, paſſing over the Sound to Schoenen (March 1710), were unexpectedly attacked and entirely defeated by the Swediſh militia; and leaving behind them their horſes, proviſions and baggage, the remainder of their army embarked precipitately for Elſinore.

After the termination of the campaign in the Netherlands, the French Court renewed, in a covert manner, their overtures for peace; and applied, through the mediation of M. Petkum, Reſident from the Duke of Holſtein at the Hague, that paſſes might be granted for ſome Miniſters from France to come to Holland and renew the conferences; or otherwiſe, that M. Petkum ſhould be permitted to go to France in order to concert ſome expedient that might facilitate the ſame general purpoſe. The firſt the States refuſed, but they conſented that Petkum ſhould go to France; which he did the latter end of November. While theſe negotiations were carrying on, King Philip publiſhed a Manifeſto, wherein he proteſted againſt all that ſhould be acted to his prejudice as null and void; and declared his reſolution to adhere to his faithful Spaniards as long as there was a man of them that would ſtand by him. After an interval of a few weeks, Petkum returned with a propoſal to reſume the negotiations in form; and, at the ſame time, with a frank and open avowal from his

Moſt Chriſtian Majeſty, that it would be impoſſible for him to execute the thirty-ninth article of the Preliminaries relative to the evacuation of Spain, even if he ſhould ſign it. On which their High Mightineſſes not only refuſed to reſume the negotiations, but wrote letters to the Emperor and the Diet, and the other Powers of the Alliance, exhorting them to proſecute the war with redoubled vigor.

The Parliament met on the 15th of November 1709; and the neceſſity was again inculcated of making freſh efforts againſt the common enemy, who was ſaid "to uſe all their artifices to amuſe with falſe appearances and deceitful inſinuations of their deſire of peace, in hope that from thence means might be found to create diviſions or jealouſies among the Allies." The war, however, became every day more unpopular in England; and the majority of the Nation began loudly to complain, that thanks were year after year returned to the Duke of Marlborough for his public ſervices; when it became every day more apparent that he was actuated chiefly by private conſiderations, and that he invariably oppoſed all overtures of conciliation, prompted by the ſuggeſtions of ambition and of intereſt. In order, however, effectually to check and intimidate that riſing ſpirit of diſcontent, evident ſymptoms of which appeared in every part of the kingdom; and to diſplay the

firmneſs of their attachment to thoſe principles in which this once popular war had originated, the Parliament determined to give full ſcope to their vengeance on an occaſion which certainly called for no ſuch extraordinary violence of exertion.

On the 5th of November 1709 an obſcure clergyman of the High-Church Faction, of the name of Sacheverel, preaching at St. Paul's cathedral upon the words of St. Paul, "Perils from falſe brethren," indulged himſelf in the moſt virulent defamation and abuſe of the preſent Adminiſtration and of their meaſures. The Lord Treaſurer in particular was ſcurrilouſly attacked by the name of VOLPONE; and divers of the Right Reverend Bench were alſo inveighed againſt with much ſcorn and malignity, as "perfidious Prelates and falſe ſons of the Church," on account of their moderation reſpecting the Diſſenters, and their avowed approbation of the Toleration. He aſſerted in terms the moſt unqualified the doctrines of paſſive obedience and non-reſiſtance; and pretended that to ſay the Revolution was inconſiſtent with thoſe doctrines was to caſt black and odious imputations upon it. He affirmed that the Church was violently aſſailed by her enemies, and faintly defended by thoſe who profeſſed themſelves her friends. He vehemently urged the neceſſity of ſtanding up in defence of the Church, for which he declared that he ſounded the trumpet, and exhorted the people

"to

"*to put on the whole armour of* GOD." This inflammatory and libellous harangue, being publiſhed at the requeſt of the Lord Mayor, was extravagantly extolled and applauded by the Tories, and circulated by them with great induſtry throughout the kingdom. At the very height of the popular ferment and clamor excited by this extraordinary invective, and which would doubtleſs have ſoon died away had no public notice been taken of it, a complaint was formally preferred to the Houſe of Commons, by one of the Members of that Houſe, of this Sermon, as containing poſitions contrary to Revolution principles, to the preſent Government, and to the Proteſtant Succeſſion. As it was by this means obtruded upon the notice of the Houſe, it was impoſſible not to expreſs in ſome mode their diſapprobation of theſe nefarious and ſeditious tenets. The wiſer Members thought it ſufficient to order the Sermon to be burnt by the hands of the common hangman, and to commit the Writer to Newgate during the remainder of the ſeſſion. This, however, was by no means ſatisfactory to the majority, who determined to raiſe this contemptible libeller to the rank of a political delinquent of great conſequence and dignity, by a ſolemn parliamentary impeachment at the bar of the Houſe of Lords. No ſooner was this abſurd and unaccountable reſolution made public, than every poſſible artifice was put in practice by the Tory faction to

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inflame the minds of the Public, and to repreſent Sacheverel as the champion and martyr of the Church, which the Whigs had, as they affirmed, a fixed intent to ſubvert; and of which project the impeachment of Sacheverel was only the prelude. Theſe calumnies, however groſs and palpable, were ſwallowed by the populace with amazing avidity. During the trial, which laſted three weeks, his coach, in paſſing between Weſtminſter-hall and the Temple, where he then lodged, was conſtantly attended by vaſt multitudes with ſhouts and acclamations of applauſe. And great tumults prevailed in the metropolis, where ſeveral places of worſhip licenſed under the Act of Toleration were pulled down: the houſes of many of the moſt eminent Diſſenters were plundered, and thoſe of the Lord Chancellor, Lord Wharton, the Biſhop of Sarum, &c. were threatened with demolition.

The Managers of the Houſe of Commons, amongſt whom were the celebrated names of KING, STANHOPE and WALPOLE, nevertheleſs exerted themſelves with great courage and ability in ſupport of the proſecution; and divers of the Lords, Spiritual as well as Temporal, diſtinguiſhed themſelves by the liberality of their remarks upon this intereſting occaſion. The Earl of Wharton, knowing at the time the Queen to be in the Houſe *incognita*, took the opportunity to obſerve, "that if the Revolution was not lawful, many in that

Houſe, and vaſt numbers out of it, were guilty of bloodſhed and treaſon; and that the Queen herſelf was no legal Sovereign, ſince the beſt title ſhe had to the Crown was her parliamentary title founded on the Revolution." Dr. Wake, Biſhop of Lincoln, remarked, "that by falſe and injurious inſinuations men had been made to believe the Church to be in danger, when in reality it enjoyed the moſt perfect ſecurity; but that ſuch invectives, if not timely corrected, might kindle ſuch heat and animoſities as would truly endanger both Church and State." And Burnet, Biſhop of Sarum, juſtified the principle of reſiſtance without reſerve. He mentioned the conduct of Queen Elizabeth, who had aſſiſted the French, the Scots and the Hollanders in reſiſting their reſpective Sovereigns, and who was ſupported in this practice both by her Parliaments and her Convocations. He obſerved, "that King Charles I. had aſſiſted the City of Rochelle; and that Mainwaring had incurred the ſevereſt cenſure of Parliament for broaching the doctrine of the divine right of Kings —that though this became afterwards a faſhionable doctrine, yet its moſt zealous aſſertors were the firſt to reſiſt, when actually ſuffering under oppreſſion. He ſaid, that by inveighing againſt the Revolution, the Toleration, and the Union, the delinquent at their Lordſhips' bar had arraigned and attacked the Queen herſelf; ſince her Majeſty

Majeſty had a diſtinguiſhed ſhare in the firſt, had often declared ſhe would maintain the ſecond, and that ſhe looked upon the third as the moſt glorious event of her reign. He affirmed, that this audacious libeller had likewiſe caſt the moſt ſcandalous reflections upon her Majeſty's Miniſters; and that he had in particular drawn the portrait of a Noble Peer then preſent, in colors ſo lively, and had ſo plainly pointed him out by a vile and ſcurrilous epithet, which he would not repeat, that it was impoſſible to miſtake in making the application." This unintentional ſarcaſm on the Lord Treaſurer ſomewhat diſcompoſed the gravity of the Houſe; and, in violation of dignity and decorum, the Biſhop was loudly called upon to name him; which in the fervor of his zeal, and in the wanderings of that mental abſence for which he was remarkable, he might perhaps have done, had not the Lord Chancellor interpoſed, and declared that no Peer was obliged to ſay more than he himſelf ſhould deem proper. In concluſion, Sacheverel was after high debates found guilty of a miſdemeanor, by a majority of 17 voices only—52 to 69; and he was adjudged to be ſuſpended from preaching for the ſpace of three years, and his Sermon ordered to be publicly burned. And to the ſame flames was alſo ſomewhat whimſically, though very deſervedly, committed the famous Decree of the Univerſity of Oxford, paſſed near thirty years

before, aſſerting the abſolute authority and indefeaſible right of Princes.

This mild ſentence caſt an air of ridicule over the whole proceedings, and was conſidered as equivalent to an acquittal by the Tory faction, who celebrated their triumph by bonfires and illuminations, not only in London, but over the whole kingdom. Theſe rejoicings were ſucceeded by numerous Addreſſes, expreſſive of a zealous attachment to the Church, and an utter deteſtation of all anti-monarchical and republican principles. And in a progreſs which Sacheverel afterwards made into a remote part of the country, he was ſumptuouſly entertained by the Univerſity of Oxford, invited to the palaces of different Noblemen, received in many towns by the Magiſtrates in their formalities, and generally attended by a numerous eſcort of horſe. In other places the hedges were ornamented with garlands of flowers, the ſteeples were covered with ſtreamers and flags, and the air every where reſounded with the cry of "the Church and Sacheverel." The enthuſiaſm ſpread like a contagion through all ranks and orders of people. Men ſeemed to ſuffer a temporary dereliction of ſenſe and underſtanding, and the mob and the nation were for a time terms of the ſame import. No martyr ſuffering in the glorious cauſe of civil and religious liberty was ever perhaps ſo much the object of public applauſe and veneration, as this wretched

wretched and fanatical preacher of nonſenſe, impiety, and ſedition.

Encouraged by the diſpoſition now univerſally prevalent, the Queen gave the firſt public indication of her total change of ſyſtem by diſmiſſing the Marquis of Kent, April 1710, and giving the office of Chamberlain to the Duke of Shrewſbury. This Nobleman, after paſſing ſome years on the Continent, had recently returned to England; and, to the great chagrin of the Whigs, had on all the late queſtions voted with the Tories—probably as the riſing party. The Lord Treaſurer, to whom the Queen had by letter communicated her intention on the eve of its execution, and who pretended to hope that this change would meet with his approbation, too well comprehending the meaning of it, wrote a ſtrong expoſtulatory epiſtle to the Queen; in which he expreſſes his "conviction, that ſhe was ſuffering herſelf to be guided to her own ruin and deſtruction, as faſt as it was poſſible for thoſe to compaſs it to whom ſhe now ſeemed ſo much to hearken." This letter made no impreſſion upon the Queen, who had indeed diſpoſed of the Chamberlain's ſtaff two days before ſhe received it. About the beginning of June, the deſign of diſmiſſing the Earl of Sunderland began to be publicly talked of; on which the Duke of Marlborough, then abroad, wrote to the Queen, ſtating in the moſt energetic terms the pernicious conſequences

of this ſtep, and "the alarm and diſtruſt it would excite in all foreign Courts." The Ducheſs of Marlborough alſo moſt injudiciouſly and officiouſly interpoſed in behalf of the Earl, making it "her laſt requeſt that her Majeſty would defer the blow till the end of the campaign. This," ſhe added, "ſhe begged upon her knees." This meanneſs might perhaps haſten, certainly it did not retard, the execution of the deſign; for on the 14th of June Lord Sunderland was diſmiſſed, and the Seals given to the Earl of Dartmouth. A ſtep ſo deciſive gave the utmoſt alarm to the whole Whig party, at whoſe ſuggeſtion, probably, Count Gallas, the Imperial Miniſter, and M. Vryberg, the Dutch Reſident, repreſented to the Queen the ill effects which a change of the Miniſtry would produce on the whole political ſyſtem. In anſwer to their reſpective Memorials, the Queen declared her reſolution, whatever changes might be in contemplation, to continue the Duke of Marlborough in his employments. In Auguſt the Lord High Treaſurer Godolphin was ordered to break his ſtaff, and the Treaſury was put into commiſſion—Earl Paulet being appointed the Firſt Commiſſioner. But this appointment was conſidered as merely nominal; Mr. Harley, who was conſtituted Chancellor of the Exchequer, being regarded as Chief or rather ſole Miniſter. In October, the Queen came in perſon to the Council, and ordered a proclamation

to

to be iſſued for diſſolving the Parliament; upon which the Lord Chancellor roſe to ſpeak: but the Queen declared "that ſhe would admit of no debate, for that *ſuch was her pleaſure.*" At the ſame time ſhe diſmiſſed the Lord Somers, and made the Earl of Rocheſter Preſident of the Council. The Duke of Buckingham was declared Lord Steward in the room of the Duke of Devonſhire. The Seals in the poſſeſſion of Mr. Boyle were given to Mr. St. John. The Lord High Chancellor Cowper was ſucceeded by Sir Simon Harcourt. The Earl of Wharton reſigned the Government of Ireland, and the Earl of Orford his ſeat at the head of the Admiralty. The Duke of Marlborough alone was ſtill ſuffered to retain his employments, which he was deterred from reſigning by the preſſing entreaties of the Emperor and the States General, who conceived the fortune of the war to be in a great meaſure attached to his perſon.—The Tories were in the higheſt degree elated at theſe changes, extolling the Queen "for aſſerting her juſt prerogative, and ſetting herſelf free from an arbitrary junto who kept her in an inglorious dependence on their will and caprice." And the Duke of Beaufort congratulated her Majeſty "on his being now able to ſalute her Queen."

Early in the year 1710, M. Torcy ſent another project of peace to M. Petkum, containing ſome modifications of the preliminary articles, and offer-

ing three fortified towns in Flanders as a pledge for the execution of the 37th article, reſpecting the reſtitution of the Monarchy of Spain. M. Petkum, having communicated with the Penſionary and the Plenipotentiaries of the Emperor and the Queen, returned an anſwer importing "that the Allies required his Moſt Chriſtian Majeſty ſhould declare in plain and expreſſive words, that he conſented to all the preliminaries except the 37th article; which done, the Allies would ſend paſſports to his Miniſters to treat of an equivalent for that article." The French King at length reluctantly aſſented to this propoſition; and the Marechal D'Uxelles and the Abbé de Polignac were appointed Plenipotentiaries from his Moſt Chriſtian Majeſty to meet thoſe of the States General, to whom the management of this negotiation was committed, at Gertruydenberg, the place ultimately fixed upon for the Congreſs. The firſt expedient offered by the French Negotiators was, that King Philip ſhould reſign Spain and the Indies to the Archduke, and be allowed to retain Naples and Sicily: but this was refuſed with diſdain; as was alſo a ſecond propoſal for ceding to him the Kingdom of Arragon. Finally, the Abbé de Polignac offered in the name of the King his maſter, that the whole Spaniſh Monarchy ſhould be ſurrendered to the Archduke, Sicily and Sardinia excepted; and that if King Philip ſhould not

acquieſce

acquieſce in this propoſal, his Moſt Chriſtian Majeſty, though he could by no means declare war againſt the King his grandſon, would yet furniſh a ſum of money towards the charges of a war to be continued againſt him till he had ſurrendered Spain and the Weſt Indies to the Houſe of Auſtria. This conceſſion being reported to the Imperial and Britiſh Miniſters, the following written anſwer was with their concurrence returned—"1ſt, That the propoſal ultimately made by the French King, was not acceptable to the Allies—as tending to produce not a general but a ſeparate peace. 2dly, That the Allies inſiſted to have Spain and the Indies delivered up, according to the tenor of the Preliminaries. 3dly, This foundation being laid and agreed upon, the Allies would conſent to continue the conferences. At the urgent inſtance of the French Plenipotentiaries, another interview, which proved to be the laſt, took place for the purpoſe of explanation. Upon this occaſion high language was uſed on both ſides. The Dutch Deputy Vanderduſſen reproaching the French Court with inſincerity; the Abbé de Polignac retorted by ſome ſevere reflections on the ingratitude and inſolence of the Dutch in relation to France, by whoſe powerful aſſiſtance they had attained to the rank of an independent and ſovereign Power. And the French Miniſters finally broke up the conferences, declaring the propoſals made

made by the Deputies of the States to be unjuſt, and impoſſible to be executed: and on the 25th of July they quitted Gertruydenberg in order to repair to their own Court, which, it was obſervable from that period, ſeeing probably a new ſcene of things opening in England, began to talk of peace with an air of coldneſs and indifference.

By this time great progreſs had been made in the military operations of the ſummer. Prince Eugene and the Duke of Marlborough had again taken the field, April 1710; and the ſucceſs of the campaign was equal to the expectations excited by the junction of ſuch extraordinary talents. Notwithſtanding the utmoſt exertions of M. Villars, who directed the operations of the French army with great ability, the Allies ſucceſſively reduced the towns of Douay, Bethune, St. Venant, and Aire, paſſing, in the proſecution of theſe ſieges, one hundred and fifty days in open trenches. Nothing worthy of notice occurred on the Rhine, where Count Gronsfelt this year commanded, in conſequence of the reſignation of the Elector of Brunſwic. In Piedmont the campaign was likewiſe wholly defenſive.

The moſt intereſting events of the preſent ſummer happened in Spain. The reigning Monarch, eager to put a final termination to the hopes and claims of his competitor, advanced at the head of a powerful army into Arragon, in order to bring matters

matters to a deciſive iſſue. General Stanhope, notwithſtanding, with a force very inferior, attacked and totally routed the Spaniſh cavalry at Almanara—diſplaying on this occaſion all the romantic valor of the heroes of Roncesvalles, and killing with his own hand the Spaniſh Commander Ameſſaga, who had perſonally and furiouſly aſſailed him. Count Staremberg, following the motions of the King, who found it neceſſary in conſequence of this check to retire towards Saragoſſa, diſcovered the Spaniſh army drawn up in order of battle near that place; and an engagement enſuing (Auguſt 9, 1710), the enemy were entirely defeated. King Charles entered Saragoſſa in triumph, while Philip retired with the wreck of his army to Madrid. The good fortune of Charles was however of ſhort duration. Proceeding without delay to Madrid in purſuit of his competitor, he had the mortification to find that city entirely deſerted by all the Spaniſh Grandees, and to receive the moſt convincing proofs of the fidelity and attachment of the Caſtilians to his rival. Great efforts being made by Philip to collect another army, and the Court of Verſailles exerting itſelf on the intelligence of the late diſaſters to ſend large re-inforcements into Spain, and, which was a circumſtance of no ſmall importance in a criſis like the preſent, with the Duke de Vendome at their head; the Spaniſh Monarch ſoon appeared again in great force. And

Count

Count Staremberg, being wholly unſupported, in the heart of an enemy's country, and apprehending his retreat to Catalonia might be intercepted, thought it expedient to retrace his footſteps: and in the beginning of November his army marched back to Saragoſſa. But the greater part of the Britiſh forces, under General Stanhope, halting imprudently at Brihuega, were ſuddenly ſurpriſed and ſurrounded by the Spaniſh army, and reduced to the fatal neceſſity of ſurrendering themſelves priſoners of war: and in a few days afterwards Staremberg himſelf was attacked at Villa Vicioſa with great valor but doubtful ſucceſs. He was however compelled, victor as he ſtyled himſelf, to abandon Arragon, and retire to Catalonia; and being cloſely purſued by the Duc de Vendome, he was at laſt driven to take ſhelter under the walls of Barcelona. Thus the flatering ſucceſſes of the Allies at the commencement of this campaign proved wholly deluſive; and during the remaining years of the war Charles was never able to regain even a temporary ſuperiority.

The New Parliament, which met on the 25th November 1710, was compoſed almoſt wholly of Tories—the popular violence in the late General Election being ſuch as made it ſcarcely ſafe to vote for a Whig. Mr. Bromley was choſen Speaker with little or no oppoſition. In the Speech from the throne the Queen "recommended the carrying on

on the war in all its parts, particularly in Spain, with the utmoſt vigor. She declared her reſolution to ſupport and encourage the Church of England as by Law eſtabliſhed, to preſerve the Britiſh Conſtitution according to the Union, and to maintain the *indulgence allowed by Law to ſcrupulous conſciences*. And that all theſe," ſaid the Queen in concluſion, " may be tranſmitted to poſterity, I ſhall employ none but ſuch as are heartily for the Proteſtant Succeſſion in the Houſe of Hanover, the intereſt of which family no perſon can be more truly concerned for than myſelf." The Addreſſes were in the ſame unexceptionable ſtrain; ſo that the uſe of the obnoxious phraſe INDULGENCE *of ſcrupulous conſciences* was the only indication of the predominance of Tory principles.

In December the Duke of Marlborough arrived in London, and was received with the uſual popular acclamation. His Grace manifeſted no reſentment at what had paſſed. He viſited and was viſited by the heads of the preſent Adminiſtration, and, being ſtrongly ſolicited by the States General and the Emperor to continue in the command, ſeemed reſolved to acquieſce in the new order of things. Convinced at length, however ſlow to believe, that the Ducheſs of Marlborough muſt relinquiſh every hope of regaining the loſt affection of her Sovereign, he carried a ſurrender of all her

places

places to the Queen, who divided them between the Ducheſs of Somerſet and Mrs. Maſham.

The Houſe of Commons, actuated by the rage of party, eagerly ſought occaſions to diſplay their hatred to the principles and perſons of their predeceſſors. Though the Earl of Godolphin had been one of the moſt incorrupt of Miniſters, a vote of cenſure paſſed upon him on pretence that his accounts were not regularly audited. For the ſake of offering an indignity to the memory of King William, the Houſe of Commons ordered in a Bill empowering Commiſſioners to examine all grants made by that Monarch, and to report the value of them, and the conſiderations upon which they were beſtowed. This, however, was rejected by the Lords. Great pains were taken to fix a ſtigma upon the character of the Duke of Marlborough; and the cuſtomary perquiſites which he received in the capacity of Commander in Chief were voted to be unwarrantable and illegal. It was reſolved by the Houſe, that the ſums ſo received ought to be accounted for as public property; and the Queen in the ſequel ordered the Attorney General to commence a proſecution againſt the Duke for money actually received by virtue of her own warrant. An enquiry was again ſet on foot in the Upper Houſe into the conduct of the war with Spain. The Tories, having now obtained an aſcendency

cendency in that Houſe in conſequence of the acceſſion of the ſixteen Scottiſh Peers, came to a reſolution, "That the Earl of Peterborough had given a very faithful, juſt and honorable account of the Councils of War in Valencia, and that the adoption of the opinion of the Earl of Galway and General Stanhope for the proſecution of offenſive meaſures was the *unhappy occaſion* of the battle of Almanza and our conſequent misfortunes in Spain." And the Earl of Peterborough was thanked for his great and eminent ſervices. But a ſtrong Proteſt was entered againſt this reſolution, ſigned by thirty-ſix Peers, in which their Lordſhips moſt juſtly remark, that the advice thus cenſured, was in the then circumſtances fit and proper to be given—and that the loſs of the battle of Almanza was to be attributed to ſubſequent cauſes wholly foreign to the advice in queſtion.

A ſingular incident occurred at this time, which contributed much to raiſe the credit and popularity of the new Miniſter, Mr. Harley. A perſon calling himſelf the Marquis de Guiſcard, a French refugee, who had been refuſed, or deprived of, a penſion by Mr. Harley, being ſubſequently apprehended on ſuſpicion of carrying on a treaſonable correſpondence with France, and examined before the Council Board, made a ſudden and deſperate attempt to ſtab him in the breaſt with a pen-knife. Fortunately the knife, lighting on the bone, broke

ſhort, and the hurt was comparatively ſlight. Guiſcard was ſecured, not without ſome difficulty, and after receiving ſeveral wounds, of which he ſoon after died in priſon. On this event, an Act paſſed to make an attempt on the life of a Privy Counſellor to be felony; and both Houſes of Parliament joined in an Addreſs to the Queen, expreſſing "their great concern for this barbarous and villainous attempt on the perſon of Mr. Harley, whoſe fidelity to her Majeſty and zeal for her ſervice had drawn upon him the hatred of all the abettors of popery and faction."—Another fortunate circumſtance for Mr. Harley was the ſudden death at this period of the Earl of Rocheſter, a Nobleman of great ambition, abilities, and popularity; between whom and Harley ſtrong ſymptoms of jealouſy and competition had already appeared. Immediately conſequent to this event, Mr. Harley was raiſed to the dignity of Lord High Treaſurer, and created Earl of Oxford and Earl Mortimer—two of the nobleſt titles in Engliſh heraldry.

On the 12th of June 1711, the Queen came to the Houſe, and, in a Speech containing freſh aſſurances of her earneſt concern for the Proteſtant Succeſſion, prorogued the Parliament.

The Convocation, which met at the ſame time with the Parliament, choſe the famous Atterbury Prolocutor. Soon after, the Queen ſent them a

licence under the Great Seal to ſit and do buſineſs in as ample a manner as was ever granted ſince the Reformation. By this licence they were empowered to enter upon ſuch conſultations as the preſent ſtate of the Church required, and eſpecially of ſuch matters as ſhe ſhould lay before them. Immediately a Committee was appointed to draw up a repreſentation of the preſent ſtate of Religion and the Church, which contained a moſt virulent declamation againſt the Government from the time of the Revolution. This was aſcribed to the pen of Atterbury—but the Biſhops diſapproving the terms in which it was framed, a conteſt between the two Houſes, as uſual, enſued *. But their attention was ſoon diverted to another topic. Whiſton, the famous Mathematical Profeſſor at Cambridge, had recently publiſhed a book, in which he attempted to revive and defend the antient Arian hereſy; for which he was expelled the Univerſity. Upon this, he wrote a vindication of his doctrine, and dedicated it to the CONVOCATION; for which aſtoniſhing inſtance of effrontery, the orthodox ſons of the Church determined to make him feel the effects of their reſentment. But the Archbiſhop Tenniſon, a mild and tolerant Prelate, ſtated it as a doubt whether this Aſſembly had any clear warrant for proceeding criminally againſt a man for hereſy. The Judges being conſulted,

* Burnet, vol. iv. p. 324.

were divided in opinion; eight affirming with ſome heſitation, that they could; and four with great poſitivity, that they could not proceed in ſuch a caſe. With the terrible penalties of a Premunire in proſpect, it was neceſſary therefore to act very cautiouſly: and their Lordſhips ſatisfied themſelves with extracting certain propoſitions from the book in queſtion, which they cenſured as falſe and heretical; in which the Lower Houſe concurred. This the Archbiſhop tranſmitted to the Queen for her aſſent, who promiſed to conſider of it; but ſhe did not ſend any anſwer during the ſitting of the Convocation. Neither at their next meeting in the enſuing winter did the expected anſwer appear. And two Biſhops being at length deputed to aſk for it, ſhe declared, that ſhe could not tell what was become of the Archbiſhop's paper: ſo a new extract of the cenſure was again ſent to her—but no anſwer ever arrived, and Whiſton's affair remained undecided; Harley and St. John, the new Miniſters, probably regarding the whole proceeding with ſecret diſlike and contempt.

About this period died Joſeph, Emperor of the Romans—an event of great political importance, as it manifeſtly afforded a fair opening to renew the overtures for a general peace, which was now ſuſpected to be not leſs the object of the eager wiſhes of the Court of London than of that of Verſailles. The general ſtate of politics on the Continent had

undergone little alteration ſince the great and deciſive battle of Pultowa. By his inceſſant intrigues and machinations at the Porte, the King of Sweden had prevailed upon the Grand Seignor, Achmet III. to declare war againſt Muſcovy. And the Czar, advancing with great indiſcretion and dangerous contempt of his enemy far into the Turkiſh territories, was ſurrounded by the Grand Vizier in his camp near the banks of the Pruth, his ſupplies of proviſion cut off, and he himſelf reduced to the neceſſity of purchaſing a peace by the ſacrifice of Aſoph and his other conqueſts. In Germany, the King of Denmark unſucceſsfully attempted the ſieges of Stralſund and Wiſmar, and he incurred the infamy of violating the peace, without as yet obtaining any ſort of advantage by the renewal of the war.

In the month of May 1711 the Duke of Marlborough appeared for the laſt time at the head of the grand army in Flanders—Prince Eugene commanding a ſeparate body of forces on the Rhine. This campaign was not diſtinguiſhed on the part of his Grace by brilliant ſucceſs, but it attracted uncommon attention as exhibiting the moſt conſummate proofs of military ſkill and conduct. Marechal Villars had with great labor and perſeverance drawn lines from Bouchaine on the Scheld along the Sanſet and Scarpe to Arras and Canché, which he had fortified by redoubts, batteries, and other

military works, in ſuch a manner that he ſcrupled not publicly to boaſt that they were impregnable, and that the Engliſh General had at length arrived at his "Ne plus ultra." The Duke, however, boldly advanced within two leagues of the French lines, making every preparation in order to a vigorous attack the next morning; and Villars drew, with all poſſible diligence, his whole force on that ſide, in full expectation of an immediate and furious engagement. This being foreſeen by the Duke, he had given previous orders to Generals Cadogan and Hompeſch, with a ſtrong detachment ſecretly drawn from the neighboring garriſons, to take poſſeſſion of the paſſes on the river Sanſet at Arleux. At nine in the evening the Duke ſilently decamped; and by eight the next morning he arrived at Arleux with his whole army, after a march of ten leagues without halting. Villars, on being certified of the Duke's motions within a few hours of his departure, marched all night with ſuch expedition, that, at eleven the next morning, he was in ſight of the Duke of Marlborough, who, to his unſpeakable mortification, had, as he now found, entered thoſe lines which he had himſelf vauntingly pronounced impregnable, without the loſs of a man. His Grace immediately inveſted the important fortreſs of Bouchaine, which ſurrendered after twenty days' open trenches only. And this admired and hazardous military achievement

ment cloſed the long glories of this celebrated Commander, who, at the critical moment in which he had almoſt penetrated the French barrier, and when another Ramillies might have removed all obſtacles in his march to Paris, was, by the mandate of that Sovereign whom he had ſerved with ſuch unparalleled ability and ſucceſs, diveſted of all his civil and military employments.

On the Rhine, in Italy, and in Spain, nothing of moment was attempted on either ſide. The Imperial Diet, aſſembling at Frankfort under the protection of Prince Eugene, proceeded quietly to the election of an Emperor; and the votes of the Electors of Bavaria and Cologne, who were under the *ban* of the Empire, being previouſly rejected, the Electoral College unanimouſly choſe Charles King of Spain, brother to the late Emperor, who was crowned at Frankfort with the uſual ſolemnity.

The naval tranſactions of the year 1711, though not very memorable, muſt not paſs entirely unnoticed. During the ſummer the French, whoſe marine had gradually fallen into a ſtate of great decay ſince the battle off Malaga, unexpectedly fitted out a conſiderable ſquadron under M. Du Guai Trouin, deſtined for the Brazils. Having entered the bay of Rio de Janeiro, he compelled the Portugueſe to run aſhore, and ſet ſeveral of their ſhips on fire; after which he made himſelf maſter of the town of St. Sebaſtian, where he

found a prodigious booty in cruſadoes and rich merchandize. On the other hand an expedition of a ſomewhat ſimilar nature, ſet on foot by the new Miniſters in England, ſucceeded very ill. The French ſettlement of Port-Royal in the peninſula of Acadie in North America had already been taken poſſeſſion of by Colonel Nicholſon, who gave it the appellation of Annapolis. A deſign was now formed for the capture of Quebec, the capital of French America, ſituated on the great river St. Laurence: and 5000 troops were put under the command of Brigadier Hill—brother to the Favorite, Mrs. Maſham—an officer very incompetent to ſuch an enterpriſe—convoyed by a ſtrong ſquadron under Sir Hovenden Walker. After various delays the fleet entered the St. Laurence about the end of Auguſt, expecting a powerful co-operation from the Colonial forces who were to join them by way of Albany. But before they could reach the city of Quebec, they were overtaken by a violent ſtorm, and at the ſame time enveloped in ſo thick a fog, that they entirely loſt ſight of land, and could find no ſoundings or anchorage. The men of war eſcaped with extreme hazard, but eight tranſports were caſt away with their crews and ſtores: and when the weather cleared up, a council of war was held, in which it was agreed to return home without making any farther attempt. This puſillanimous reſolution being

ing forthwith carried into execution, they arrived at Portſmouth early in October. Scarcely had they reached the harbour, when the Admiral's ſhip, the Edgar of 70 guns, by ſome accident blew up, with a great number of perſons on board, excluſive of the ſhip's crew—and thus terminated this ill-concerted and diſaſtrous expedition.

During the receſs of Parliament the Miniſtry were chiefly engaged in ſtrengthening their intereſt by the diſtribution of new honors and promotions. Lord Raby, head of the family of Wentworth-Woodhouſe in Yorkſhire, long Reſident at Berlin, was created Earl of Strafford, and ſent Ambaſſador to Holland—a man, proud, conceited, full of party rancor and malevolence, narrow in his capacity, and obſtinate in his prejudices, but wholly adverſe to the intereſts of the Court of St. Germaine's. Sir Simon Harcourt was created Baron Harcourt, and ſoon after Lord Chancellor. The Duke of Hamilton was admitted to the honors of the Engliſh Peerage, under the title of Duke of Brandon. The Biſhop of Briſtol, on the deceaſe of the Duke of Newcaſtle, by a novelty in politics characteriſtic of a Tory and High-church Adminiſtration, was conſtituted Lord Privy Seal. The Duke of Buckingham, being made Preſident of the Council in the room of the Earl of Rocheſter, was ſucceeded in the office of Lord Steward by Earl

Paulet, ſuperſeded in the Treaſury by the late promotion of Mr. Harley.

A ſingular occurrence took place about this time in Scotland, of which the Whigs in England did not fail to take the advantage. The Ducheſs of Gordon, a violent female politician, noted for her attachment to the baniſhed family, ſent as a preſent to the Faculty of Advocates at Edinburgh a medal, with a head on the right ſide and this legend, *Cujus eſt?* and on the reverſe the Britiſh iſlands with this motto, *Reddite*. A debate ariſing whether this curious donation ſhould be received, it was carried by a majority of ſixty-three voices to twelve to accept. And Mr. Dundas of Arniſtoun, in the name of the Faculty, returned her Grace moſt hearty thanks for this medal of their Sovereign Lord the King—hoping and being confident that her Grace would very ſoon have an opportunity to compliment the Faculty with a ſecond medal, ſtruck upon the reſtoration of the Monarch and the termination of rebellion. Advice being tranſmitted of this act of effrontery to the Duke of Queenſberry Secretary of State for Scotland, and M. Kreyenberg the Hanoverian Reſident making it the ſubject of a formal Memorial; the Lord Advocate Sir David Dalrymple, a known friend to the Proteſtant Succeſſion, was diſmiſſed from his office, on pretence of remiſſneſs in not

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proſecuting the Scottiſh medaliſts; while Dundas was allowed to eſcape, notwithſtanding his printing a vindication of his conduct, ſtill more impudent and treaſonable than his former proceedings. This affair was repreſented by the enemies of the Miniſtry as a deciſive proof of their ſecret bias in favor of the Pretender; and by their friends, as a trivial and idle buſineſs, not worthy of ſerious attention.

The Earl of Oxford, ſenſible of the unpopularity, and probably of the folly, of the war, and unwilling to continue it with unequal ſucceſs, or to add new laurels to thoſe already acquired by the Duke of Marlborough, had, from the firſt moment of his acceſſion to power, formed the determination to conclude a peace with France; and this determination he manifeſted too ſtrongly and eagerly not to afford great advantage to a politic and penetrating adverſary. There was a certain Abbé Gualtier, an obſcure French Prieſt, who had originally accompanied Marechal Tallard during his embaſſy to England in the late reign, and had ſince been protected by Count Gallas the Imperial Miniſter, and ſuffered to ſay maſs in his chapel. This man was choſen as the medium of intercourſe with the Court of France, and was ſent over to Paris with verbal inſtructions, importing the wiſh of the preſent Miniſters to effect a general pacification, and deſiring his Moſt Chriſtian Majeſty to propoſe to the Dutch a renewal of the conferences.

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The King of France, who had received the intelligence of the diſſolution of the Whig Parliament with tranſports of joy—declaring his opinion and belief, that he ſhould ſoon be as neceſſary to Oxford and his party, as they to him *, received this intimation with an affectation of indifference; and abſolutely refuſed to reſume the negotiations with Holland. But, in a Memorial tranſmitted by M. de Torcy to the Court of London, April 1711, he declared his willingneſs to treat through the medium of England. This overture was communicated to the States General, who acknowledged themſelves weary of the war, and ready to join in any meaſures to obtain a good peace. The whole of the ſummer was ſpent in an interchange of meſſages between the two Courts of London and Verſailles: and towards the autumn the negotiation became accidentally public, in conſequence of the unexpected arreſt of one of the Government agents, Mr. Prior, at Deal, for want of a paſſport. Count Gallas, the Imperial Ambaſſador, expoſtulating upon this occaſion with the Earl of Oxford, was aſſured that there was no ground of alarm; for that the Queen would never conclude a peace derogatory from her engagements with her Allies. But M. Meſnager, who accompanied Mr. Prior from Paris, being inveſted with full powers on the part of the Moſt Chriſtian King; proviſional ar-

* Meſnager's Memoirs.

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ticles were actually agreed upon, September the 27th 1711, between Great Britain and France, and ſigned by the two Secretaries of State, by virtue of an eſpecial warrant from the Queen. It has been aſſerted that M. Meſnager, by the inſtigation or encouragement of Mr. St. John, ſpoke to the Queen in favor of the Pretender, whom he called "her brother;" and that ſhe did not ſeem diſpleaſed at his diſcourſe. But this is not confirmed by his own account of the negotiation. "It was eaſy to ſee," ſays this able politician, "that ſeveral who were near the Queen had inclinations favorable to the Court of St. Germaine's; but they could not make it practicable, as they all ſaid, to take any ſteps in that intereſt, without hazard to *their own*—and I never found they had a true zeal for any thing elſe."

Five days after the departure of M. Meſnager, the Miniſters communicated the Preliminaries to Count Gallas, who treated them with much ſcorn, and cauſed an Engliſh tranſlation of them to be publiſhed in a paper called the Daily Courant. The articles were ſeven in number, importing, 1ſtly, the acknowledgment of the Queen of Great Britain and the Proteſtant Succeſſion in the Houſe of Hanover; 2dly, an engagement to take all juſt and reaſonable meaſures to prevent the union of the Crowns of France and Spain. The third reſpects an eventual Treaty of Commerce. The fourth contains

tains a promiſe of a ſecure barrier for Holland; the fifth, the ſame on the ſide of the Empire; the ſixth, the demolition of Dunkirk; the ſeventh, a vague engagement that the pretenſions of all the Princes and States engaged in the war ſhall be amicably diſcuſſed and regulated. Theſe looſe and general conditions excited univerſal ſurpriſe and diſtruſt. But great and juſt offence was taken at the conduct of Count Gallas, in thus diſcloſing the circumſtances of a depending negotiation; and an order was ſent him, forbidding his appearance at Court. The States General were ſcarcely leſs diſſatisfied than the Court of Vienna, at the tenor of theſe preliminary articles; which they repreſented to the Queen as a very inſufficient foundation to build upon. And it was not without great reluctance, and after the moſt preſſing inſtances, that their High Mightineſſes agreed to open the conferences afreſh on the 1ſt of January 1712—Utrecht being named as the place of Congreſs.

The Emperor, on his part, wrote a circular letter to the Electors and Princes of the Empire, exhorting them to perſiſt in the engagements of the Grand Alliance. In order to obviate any diſagreeable conſequences that might reſult from the reſentment of the Emperor, the Queen of England had ſent Earl Rivers to Hanover to aſſure the Elector, tha his intereſts would be particularly attended to. Notwithſtanding which, the Elector

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expreſſed in warm terms his total diſapprobation of the meaſures in queſtion; and, not ſatisfied with this declaration, he ordered his Miniſter, Baron Bothmar, to deliver to Mr. St. John a Memorial, which ſoon afterwards appeared in the public prints, repreſenting the pernicious conſequences of leaving Spain and the Indies in the hands of the Duke of Anjou, and the danger of ſuffering the French King to prevail in a conteſt carried on for the purpoſe of giving a King to Spain, and eventually of impoſing another upon Great Britain. This indiſcreet ſtep, applauded as it was by the Whig party, produced no other effect, as might eaſily have been foreſeen by any perſons not blinded by party rage, than to give extreme umbrage to the Court of London, and to lay the foundation of a dangerous miſunderſtanding between the Queen and the Elector.

About this period the Pretender, knowing the coldneſs which ſubſiſted between the two Courts, was emboldened to addreſs the Queen, in a letter not ill imagined or expreſſed—urging her, "as ſhe tendered her own honor and happineſs, to do him that juſtice to which he was entitled; in which caſe he aſſured her that no reaſonable terms of accommodation which ſhe could deſire for herſelf ſhould be refuſed by him—and declaring his readineſs to give all the ſecurity that could be deſired, of his unalterable reſolution to make the law of the land

land the rule of his Government—to maintain the Church of England in its juſt rights and privileges*;" but without giving the ſlighteſt intimation or hope that he might be induced to change his religion. To this letter it does not appear that any reply directly or indirectly was ever made.

The States General having at length agreed to renew the negotiation with France; the Parliament was convened for the 7th of December 1711; previous to which, great efforts were made to obtain a clear majority in the Houſe of Lords, where the Whig intereſt chiefly prevailed, but with very little ſucceſs; and the Miniſters had even the mortification to ſee the Earl of Nottingham, one of the principal leaders of the Tories for more than twenty years paſt, cloſely connecting himſelf, upon the great queſtion of peace or war, with the Whigs. This Nobleman was ſuppoſed to feel ſtrong emotions of jealouſy and diſguſt at the ſudden and ſurpriſing aſcendency acquired by the Earl of Oxford, who, in return, was no leſs tremblingly alive to the rival pretenſions of Nottingham.

The Whigs exclaimed with all the violence of party rage againſt the plan of accommodation comprehended in the Preliminary Articles, which they repreſented as fraught with treachery to our allies and ruin to ourſelves. The ideas inculcated by the leaders and ſwallowed by the dupes of the faction

* Macpherſon's State Papers, vol. ii.

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are ſtrongly though undeſignedly depictured by Biſhop Burnet; who gravely relates, that when the Queen condeſcended to aſk of him his ſentiments reſpecting peace, upon obtaining permiſſion to ſpeak his mind plainly, he told her Majeſty "that it was his opinion that any treaty by which Spain and the Indies were left to King Philip muſt, in a little while, deliver up all Europe into the hands of France: and if any ſuch peace ſhould be made, ſhe was betrayed, and we were all ruined: in leſs than three years' time ſhe would be murdered, and the fires would be again kindled in Smithfield."

In the Queen's Speech to the two Houſes, ſhe expreſſed her joy in being able to inform them, that, *notwithſtanding the arts of thoſe who delight in war*, both time and place were appointed for opening the treaty of a general peace.—By an extraordinary latitude of aſſertion, ſhe declared the ready concurrence and entire confidence of the Allies in the ſteps ſhe had taken; and ſhe, as uſual, expreſſed her concern that the ſucceſſion to the Crown ſhould be rendered ſecure to the Houſe of Hanover. An Addreſs of thanks being propoſed, the Earl of Nottingham, at the cloſe of a very eloquent and able ſpeech, much admired and celebrated at the time, and in which his Lordſhip copiouſly expatiated on the inſufficiency and precarioufneſs of the late preliminaries, and of the

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dangers to be apprehended from leaving a Prince of the Houſe of Bourbon in poſſeſſion of the Monarchy of Spain, moved that a clauſe might be added to the Addreſs, repreſenting to her Majeſty, "that, in the opinion of that Houſe, no peace could be ſafe or honorable to Great Britain or Europe, if Spain and the Indies were allotted to any branch of the Houſe of Bourbon." This gave riſe to a violent debate—the motion being ſupported and oppoſed by all the principal ſpeakers on each ſide. And the Duke of Marlborough in particular, conceiving himſelf to be invidiouſly pointed at in the Speech from the Throne, affirmed to the Houſe "that he could declare with a ſafe conſcience in the preſence of her Majeſty, of that illuſtrious Aſſembly, and of that ſupreme Being who is infinitely above all the powers upon earth, and before whom, according to the ordinary courſe of nature, he muſt ſoon appear to give an account of his actions, that he ever was deſirous of a ſafe, honorable, and laſting peace; and that he was far from any deſign of prolonging the war for his own private advantage, as his enemies had moſt falſely inſinuated. That his advanced age, and the many fatigues he had undergone, made him earneſtly wiſh for retirement and repoſe, having already honors and riches heaped upon him far beyond his deſert or expectation. But that he was in duty to his Country and to his Sovereign bound to declare

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his opinion, that no treaty of pacification, either honorable, ſafe, or laſting, could be concluded on the foundation of the ſeven preliminary articles." The previous queſtion being put upon the motion of the Earl of Nottingham, it was carried in the affirmative by a ſingle vote, and the main queſtion by eight voices (ſixty-two to fifty-four) againſt the utmoſt efforts of the Court*. On preſenting the Addreſs, the Queen coldly replied, "that ſhe ſhould be very ſorry any one could think ſhe would not do her utmoſt to recover Spain and the Weſt Indies from the Houſe of Bourbon." On the other hand, the Addreſs of the Commons was expreſſed in the higheſt ſtrain of ſatisfaction and loyalty. They aſſured her "that they would uſe their utmoſt endeavors to diſappoint as well the arts and deſigns of thoſe *who for private views might delight in war*, as the hopes the enemies

* The defection of the Earl of Nottingham is thus ludicrouſly ſatirized in a periodical publication of the times—ranking, by conjecture, among the wicked lampoons of Swift: "Whereas a very tall, thin, ſwarthy-complexioned man, between ſixty and ſeventy years of age, wearing a brown coat with little ſleeves and long pockets, has lately withdrawn himſelf from his friends, being ſeduced by wicked perſons to follow ill courſes—Theſe are to give notice, that whoever ſhall diſcover him ſhall have ten ſhillings reward—or if he will voluntarily return, he ſhall be kindly received by his friends, who will not reproach him for paſt follies, provided he give good aſſurances that for the future he will firmly adhere to the Church of England, in which he was ſo carefully educated by his honeſt parents."

might have vainly entertained of receiving advantage from any diviſion among them."

In another inſtance the aſcendency of the Oppoſition in the Houſe of Peers conſpicuouſly ſhewed itſelf, to the great chagrin of the Court. The Duke of Hamilton, lately created Duke of Brandon, claiming the place which appertained to him in that quality, was oppoſed by many of the Engliſh Lords, who conceived ſuch aſſumption to be incompatible with the Act of Union, as giving a power to the Crown to introduce a greater number of Scottiſh Peers into the Houſe, than were allowed by the Act. After a vehement debate, the claim of the Duke was rejected, notwithſtanding the precedent of the Duke of Queenſberry admitted to ſit as Duke of Dover, by 57 to 52 voices. The Scottiſh Peers were much enraged, and not without reaſon, at this determination, and ſigned a Repreſentation to the Queen, complaining of it as a breach of the Union, and a mark of diſgrace put upon the whole Peerage of Scotland, who were thus ſtigmatized as the only deſcription of perſons in the realm incapable of being admitted to the honors of the Engliſh Peerage.

The Occaſional Conformity Bill, having miſcarried three times, had lain dormant for ſeven years, till it was at this period revived by the Earl of Nottingham, with the acquieſcence of the Whigs, to whom he declared, that without this Bill he ſhould

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be only an individual, but with it an hoſt. The chiefs of the party knowing, from the temper of the times, that a Bill of this nature would certainly paſs, were willing, and even deſirous, that Lord Nottingham ſhould conciliate the confidence of the zealous Churchmen by being himſelf the mover of it, eſpecially as the penalties of the propoſed Bill were much milder than they would probably have been if introduced under the auſpices of the Court. In conſequence of this previous agreement, the Bill paſſed through both Houſes with ſilence and rapidity. The Diſſenters, however, who did not comprehend theſe political and courtly manœuvres, loudly complained that they were deſerted by their friends, who endeavored in vain to perſuade them that they conſulted their intereſt in conſenting to their oppreſſion.

During the Chriſtmas receſs of Parliament, matters having now attained to ſufficient maturity, the Duke of Marlborough was diſmiſſed from all his employments, by a letter under the Queen's own hand. The charges brought againſt him in the Houſe of Commons reſpecting the perquiſites received by his Grace as Commander in Chief of the Forces of Great Britain, was made the pretext for his diſgrace. For, on the 30th of December, the Queen declared in Council, "that, an information being laid againſt the Duke of Marlborough, by the Commiſſioners of Public Accounts, ſhe

thought fit to diſmiſs him from all his employments, that the matter might take an impartial examination." And this declaration was entered in the Council Books. The Duke, in his anſwer, told the Queen, "That if the inveteracy of his enemies had not been more powerful with them than the conſideration of her Majeſty's honor and juſtice, they would not have influenced her to impute the occaſion of his diſmiſſion to a falſe and malicious inſinuation contrived by themſelves, and made public when there was no opportunity for him to give in his anſwer." And he concludes with wiſhing "that her Majeſty might never find the want of ſo faithful a ſervant, as he had always endeavored to approve himſelf to her." By an artifice characteriſtic of Lord Oxford, the command of the Queen's forces in Flanders was offered to the Elector of Hanover; which he refuſing, as was clearly foreſeen, to accept, the Duke of Ormond was appointed Captain-General of all her Majeſty's forces at home and abroad.

The Whig intereſt ſtill preponderating in the Houſe of Lords; a reſolution was taken to create twelve new Peers, in order to ſecure a majority for the Court. This gave riſe to much clamorous exclamation. Sir Miles Wharton, being offered a Peerage on this occaſion, rejected it with diſdain, ſaying, "that formerly Peerages were the reward of ſervices done; but now it appeared they were merely

merely a compenſation for ſervice to be done." The 2d January 1712 the twelve new Peers were introduced into the Houſe; and the Scottiſh Lords being now alſo arrived, the Court acquired a decided and permanent majority;—though Mr. Secretary St. John ſcrupled not to ſay, "that if thoſe twelve had not been enough, they would have given them," i. e. the Whigs, "another dozen." When the uſual queſtion of adjournment was about to be put, the Earl of Wharton excited mirth by aſking, "Whether they meant to vote individually, or by their foreman?"

At this critical period the Miniſters were embarraſſed by an unexpected and unwelcome viſit from Prince Eugene, who, on the diſmiſſion of Count Gallas, was charged with inſtructions from the Emperor to repreſent to the Queen in terms the moſt urgent the fatal conſequences which would attend the defection of England from the Alliance, and to propoſe a new plan for the future conduct of the war, in which his Imperial Majeſty would take upon himſelf a larger proportion of the burden than had been required from his predeceſſors, Leopold and Joſeph. The remonſtrances of his Highneſs produced no effect; but he was treated with all the external demonſtrations of eſteem and reſpect by the Queen, and entertained with great magnificence by the Miniſters, particularly by the Lord Treaſurer, who, it is ſaid, declared in polite

terms to the Prince the pride he felt in having for his gueſt the firſt General in Europe. "If I am," ſaid his Highneſs, "it is to your Lordſhip I am indebted for it"—alluding to the recent diſmiſſion of the Duke of Marlborough. The Prince received, however, poſitive aſſurances of concurrence in a vigorous proſecution of the war.

To ſhew his zeal for the Proteſtant Succeſſion, the Lord Treaſurer, at the ſuggeſtion of the Duke of Devonſhire, who had given notice of a motion for the ſame purpoſe, brought in a Bill giving precedence to the whole Electoral Houſe, as part of the Royal Family—which by an emulation of eagerneſs paſſed both Lords and Commons in the ſpace of two days.

Mr. Walpole, late Secretary at War, having by his activity, eloquence and knowledge of buſineſs rendered himſelf extremely obnoxious to the Tories; advantage was taken of an act of indiſcretion on his part when in office, not only to expel him the Houſe, but commit him to the Tower. The caſe was this: Mr. Walpole, in contracting with certain perſons for the article of forage, was deſirous that a friend might be admitted to a participation of the profits; in lieu of which, the contractors agreed to give him five hundred guineas for his ſhare of the ſame. But the name being concealed, a bill for the amount was paid into Mr. Walpole's hands and indorſed by him. On a ſtrict examination,

tion, it appeared that no part of the money was retained by Walpole; but the Houſe nevertheleſs voted the acceptance of it to be an act of corruption—and proceeded to expulſion and commitment. The cenſures of the Houſe were treated by the friends of Mr. Walpole with contempt; and he was immediately rechoſen by the Borough of Lynn Regis. Upon which the Houſe came to a remarkable reſolution, "that Robert Walpole, Eſq. having been this ſeſſion of Parliament committed a priſoner to the Tower of London, and expelled this Houſe for an high breach of truſt in the execution of his office, and notorious corruption when Secretary at War, was and is incapable of being elected a Member to ſerve in this preſent Parliament."

Another buſineſs of far greater conſequence next engaged the attention of the Houſe; viz. the conſideration of the Barrier Treaty with the States. As on the one hand it was a great object with the late Whig Miniſters to obtain the guarantee of Holland in ſupport of the Proteſtant Succeſſion; it was a no leſs favorite point with the States, that England ſhould guaranty to them in return the quiet poſſeſſion of their barrier in Flanders. And a Treaty containing theſe reciprocal conditions was ſigned by Lord Townſhend at the Hague, October 29, 1709, wherein the barrier was ſettled to conſiſt not merely of ſuch places as acknowledged the

ſovereignty of the Crown of Spain, but of ſeveral very important towns captured during the courſe of the war from France—as Liſle, Tournay, Menin and Douay. This Treaty was regarded by the preſent Miniſters as a grand obſtacle in the way of peace, which could not too ſoon be removed. And though it had been ſolemnly ratified by the Queen, it was now condemned without reſerve by the Houſe of Commons, who came to divers Reſolutions upon the ſubject, importing: 1ſt, "That in the Treaty for ſettling a Barrier, &c. under *colour* of ſecuring the Proteſtant Succeſſion, were ſeveral articles deſtructive to the intereſt of Great Britain, and highly diſhonorable to her Majeſty. 2dly, That Lord Viſcount Townſhend had not any orders or authority for negotiating or concluding ſeveral articles in that Treaty. 3dly, That Lord Viſcount Townſhend, who ſigned, and all thoſe who adviſed the ratifying of that Treaty, were enemies to the Queen and Kingdom." The States General, aſtoniſhed and alarmed at theſe proceedings, wrote a very reſpectful letter to the Queen, ſtating the neceſſity of a powerful barrier for the ſecurity of England as well as Holland, and expreſſing their readineſs to explain or modify any articles of the Treaty, which ſhould not eſſentially affect the preſervation of the Dutch Nation, and entreating her Majeſty to continue towards them that *precious friendſhip* and good-will with which

ſhe

ſhe had hitherto honored them." But the current now ſet ſtrongly againſt them; and the Houſe of Commons, in an inflammatory Repreſentation to the Queen, charged the Allies in general, and the States General in particular, with having been groſsly deficient in furniſhing their quotas of men and money; and, in anſwer to their various memorials, they received only a cold and vague aſſurance from the Queen, "that ſhe would contribute what was in her power towards the ſatisfaction of the States General, without abandoning the intereſt of her own Kingdoms *."

One of the moſt laudable meaſures of this High-Church and Tory Parliament was the Bill brought in for granting a Toleration to the Scottiſh Epiſcopalians. The General Aſſembly of Scotland, alarmed at ſo daring and dangerous an attack upon the rights of the CHURCH, on the firſt intimation of this Bill drew up a large Repreſentation to the Queen, ſetting forth, "that the Act of 1707 for ſecuring the Proteſtant Religion and Preſbyterian Government in Scotland was declared to be an eſſential and fundamental condition of the Treaty of Union—that they could not but expreſs, therefore, their ſurpriſe and affliction to hear of a Bill offered for ſuch a large and almoſt boundleſs toleration, not only threatening the overthrow of their Church, but giving a licenſe to errors and blaſphe-

* Tindal, vol. v. p. 455—463.

mies,

mies, &c. to the diſhonor of God, the ſcandal of Religion, and the confuſion of that Church and Nation. And they did beſeech, nay obteſt her Majeſty by the mercy of God, to interpoſe her authority againſt ſuch a manifeſt and ruining encroachment." Notwithſtanding this rancorous oppoſition of the Godly in Scotland the Bill paſſed, with a remarkable clauſe prohibiting the Magiſtrates of that kingdom in future to execute the ſentences of the Judicatories of the Kirk, which was by this means diveſted of its temporal terrors; and as its ſpiritual cenſures have gradually fallen into contempt, it is now only the phantom of its former ſelf. This Bill was accompanied by another for reſtoring the right of Patronage; which paſſed with little oppoſition, though certainly incompatible with the Act of Union, and, as it was alſo pretended by the rigid Preſbyterians, to "Scriptural warrant."

On the 6th of June 1712, the Queen came to the Houſe of Peers, and ſtated to the two Houſes, in a long ſpeech, the terms on which peace might be made; for ſuch was the caution of the Lord Treaſurer, that he was determined to conclude nothing without the previous ſanction of Parliament. The Houſe of Commons, with little difficulty, and the Houſe of Lords after high debate, preſented Addreſſes of approbation; ſoon after which, the Parliament was prorogued.

Although

Although the firſt day of the new year had been nominated for opening the Congreſs, the conferences did not commence till the 29th January, 1712; when the Biſhop of Briſtol, Lord Privy Seal, repairing to the appointed place in great pomp, attired in velvet robes, with his train borne by two pages, addreſſed the Aſſembly in a ſet ſpeech, particularly and earneſtly recommending "clearneſs, openneſs and ſincerity in the conduct of the preſent negotiation;"—although the conduct of the Britiſh Miniſters had been and continued to be replete with *fineſſe*, duplicity and deceit. The propoſitions ſigned by M. Meſnager were declared to be the baſis of the Treaty; for the Congreſs had not the leaſt notice or intimation of the proviſional articles ſigned on the part of France and England. The Miniſters of France, at the deſire of the Allies, gave in their *projêt* of Peace, February 11, and it was couched in ſo high a ſtrain as to excite the greateſt amazement. The Abbé de Polignac had previouſly declared the propoſitions made at Gertruydenberg, to which the Imperial Miniſter, Count Zinzendorf, wiſhed to advert, to be no longer exiſting; and all the King of France now offered was to recognize the title of the Queen of Great Britain, and the ſucceſſion of the Crown in the Houſe of Hanover, at the ſigning of the Peace; to demoliſh the fortifications of Dunkirk for a ſatisfactory equivalent; to cede the iſland of St. Chriſtopher,

topher, Hudſon's Bay, and Newfoundland excepting Placentia, to England; and to add to the preſent Dutch barrier the towns of Furnes, Ypres, Menin, and Fort Knoque. At the ſame time his Moſt Chriſtian Majeſty demanded, in order to form the barrier of France, Aire, St. Venant, Bethune, and Douay, with their dependencies; that the frontier on the ſide of the Empire and of Italy ſhould be the ſame as before the war—or, in other words, that Landau, Feneſtrella, and Exilles, ſhould be reſtored to France—that the Low Countries ſhould be given to the Elector of Bavaria; and that Liſle and Tournay ſhould be conſidered as the equivalent for Dunkirk. Finally, his Moſt Chriſtian Majeſty engaged, that the King of Spain do relinquiſh all his pretenſions to Naples, Sardinia, and Milan, in favor of the Emperor. On the other hand, a counter-project was given in on the part of the Allies, in which the Engliſh Plenipotentiaries inſidiouſly, and in contradiction to the ſecret preliminaries, joined with the reſt of the Confederate Powers in demanding the reſtitution of the whole Spaniſh Monarchy to the Houſe of Auſtria. And a ſpecific anſwer in writing was inſiſted upon from the French Miniſters. But this the Marechal D'Uxelles refuſed, and propoſed to enter into verbal conferences upon the ſubject. Upon this difference, the negotiation ſeemed for many weeks at a ſtand: and Lord Strafford and

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the Biſhop of Briſtol, in their diſpatch of April 15, ſay, "they do not find the French are much convinced of the neceſſity of diſpatch—and when any thing is let fall of breaking off the conferences, they ſeem to take it with a great air of indifference, well knowing their buſineſs was not to be done at Utrecht, but by a negotiation carried on directly between London and Verſailles." About this period, Mr. Thomas Harley, a near relation of the Treaſurer, and the Abbé Gualtier arrived at Utrecht, by whom a plan for a general peace was imparted to the Engliſh Plenipotentiaries, without the leaſt communication with the reſt of the Allies. Only the Dutch were vehemently urged, as they had already repeatedly been, "to come into the Queen's meaſures; otherwiſe ſhe would conſider herſelf as diſcharged from all obligation towards them." The States at length thought proper to ſend a ſolemn deputation to the Earl of Strafford (April 28), to know authoritatively what the Queen's meaſures were. But this Nobleman declined to enter into particulars, declaring nevertheleſs, for their ſatisfaction, "that her Majeſty's intentions were, that her troops ſhould act with the ſame vigor againſt France as if there were no negotiation on foot." And this declaration the Earl repeated the ſame evening in a conference with Prince Eugene and Count Zinzendorf.

In the month of April, the Confederate army took

took the field under the Prince of Savoy, whom their High Mightineſſes had appointed Captain General of their forces. The Duke of Ormond, arriving at the Hague nearly at the ſame time, gave all poſſible aſſurances to the Penſionary of a cordial and confidential co-operation with the Allies, and eſpecially the Dutch. On the ſubſequent junction of the armies, a good underſtanding ſeemed to prevail between the two Generals; and about the middle of May, the Prince propoſing to paſs the Scheld and attack the French, or, if they appeared too ſtrongly poſted, to inveſt the town of Queſnoy, it was aſſented to by the Duke without heſitation. But within a few days after this movement had taken place, the Duke of Ormond received poſitive orders from Mr. Secretary St. John to avoid engaging in any ſiege or hazarding a battle; and deſiring him, at the ſame time, to diſguiſe the receipt of this order—adding, that it had been communicated to the Court of France; and if M. Villars ſhould take any private notice of it, the Duke was to anſwer accordingly. It is impoſſible to conceive a more difficult or delicate ſituation than that into which the Duke of Ormond was thrown by theſe inſtructions; and had he not been moſt ſtrongly attached to the preſent Adminiſtration and their meaſures, he would doubtleſs have inſtantly reſigned a command which he could no longer exerciſe with honor. And, indeed, notwithſtanding

ing the violence of his party zeal, his own noble and ingenuous nature recoiled from the execution of the infamous task impoſed upon him. Though in his anſwer to Mr. St. John, May the 25th, he promiſed obedience and ſecrecy, he declared "the difficulty of diſguiſing the true reaſon of his conduct, having no excuſe for delays." And the Duke receiving a letter from M. Villars congratulating him on the intelligence which had juſt reached him from Paris, "that they were to be no longer enemies," ſignified to the Marechal the orders he alſo had received from the Queen of England.

On the 8th of June the Duke, having been in the interval ſtrongly preſſed to co-operate actively with the Allies, ſtated to Mr. St. John "the extreme uneaſineſs of his ſituation. Many of the Allies ſcrupled not openly to ſay, they were betrayed. If he was reſtrained from action, he ſaw no uſe in remaining in his preſent ſituation, and he deſired leave to return to England. But in all things he profeſſed to ſubmit to her Majeſty's pleaſure." Queſnoy was at length inveſted, and the Duke with difficulty, and not without ſecret expoſtulation from M. Villars, aſſented to furniſh ſixteen battalions of troops in the joint pay of England and Holland to carry on the ſiege. The ſeparate negotiations between England and France were by this time far advanced, and the renuncia-

tion by the King of Spain, of the right of ſucceſſion to the Crown of France, being at length obtained, and a promiſe made of the temporary ſurrender of Dunkirk to the Engliſh, as a pledge of the ſincerity of the Moſt Chriſtian King, orders were tranſmitted to Ormond to conclude an armiſtice with M. Villars. This intelligence, when communicated to Prince Eugene and the Deputies of the States, was received with indeſcribable indignation. His Highneſs told the Engliſh General, "that the ſeceſſion of the Engliſh troops and forces in Britiſh pay would leave them to the mercy of the French; but that he was ſure the forces would not march. He expoſtulated with him on the unparalleled baſeneſs of this violation of national faith and honor, and the danger and ruin which might enſue upon this deſertion." The Duke was immoveable. He ſaid it belonged not to him to enter into theſe particulars—that the Queen's commands were poſitive; and he cauſed the ſuſpenſion of hoſtilities to be proclaimed June the 25th, by ſound of trumpet: but the foreign troops in the pay of Great Britain unanimouſly refuſed to obey his Grace's orders.

Notwithſtanding the departure of Ormond, Prince Eugene immediately on the ſurrender of Queſnoy inveſted Landrecy: but the hiſtory of this campaign, conſequent to the ſeparation of the Britiſh forces, is the recital of a continued ſeries of

loſſes and diſaſters. Marechal Villars, after defeating a part of the Allied army at Denain, proceeded to Marchiennes, which contained the Prince's grand *depôt* of military ſtores. After the reduction of Marchiennes, he undertook the ſiege of Douay, which compelled the Prince to raiſe that of Landrecy, without however being able to ſave Douay. And before the end of the campaign, the French alſo retook Queſnoy and Bouchaine: ſo that the triumph of Villars was complete, and the Allies were overwhelmed with ſhame and conſternation.

Various obſtacles ariſing to the concluſion of the Treaty ſo earneſtly and impatiently ſought by the Britiſh Court, Mr. Secretary St. John, now created Lord Viſcount Bolingbroke, was diſpatched in perſon early in the month of Auguſt to the Court of Verſailles, in order to obviate all the remaining difficulties. He was received by the French Monarch with all imaginable marks of diſtinction; and in a ſhort time the object of his miſſion being in great part effected, a ceſſation of arms by ſea and land for the ſpace of four months was agreed upon. In the mean time the negotiations at Utrecht proceeded ſlowly and heavily. The Earl of Strafford, in his letter of the 13th of September, repreſents the States "as mightily ſunk with their misfortunes, and not knowing well what meaſures to take; but that they inſiſted upon Tournay as ſo eſſential to their barrier, that they

had actually none without it." In anſwer, Lord Bolingbroke owned "that the King of France was now encouraged to refuſe what he at firſt only endeavored to ſave; in ſhort, that France had now gathered ſtrength by our diviſions, and was grown ſanguine enough to make that plan the ultimatum of her conceſſions, which was at firſt nothing more than the ultimatum of her offers: but that the Dutch had nobody to blame for all this but themſelves." At length their High Mightineſſes, deſcending from that loftineſs they could no longer ſupport, declared (October the 9th), "that, for the good of peace, the States were willing to yield Liſle to France, and recede from their pretenſions to have Douay, Valenciennes and Maubeuge, which they had hitherto inſiſted upon; provided Condé and Tournay were included in their barrier, the tariffs of 1664 reſtored, and that Sicily be yielded to the Emperor, and Straſburg to the Empire." This was a propoſition which the Engliſh Court acknowledged to be entitled to regard and conſideration; but new obſtacles every day preſented themſelves—the French appearing more and more ſenſible of the ſuperiority they had ſo ſtrangely acquired, and to repent of the conceſſions they had been induced to make; inſomuch that Lord Bolingbroke complained, in his diſpatches to Mr. Prior, of "the perpetual cavils and chicaneries of the French, who, he affirmed, had neither

neither acted fairly nor wisely." And in another letter he says, "The French want to bubble us out of the advantages which they had solemnly yielded;" and he exclaims, "By Heaven! they treat like pedlars, or, which is worse, like attornies!" The negotiation, nevertheless, gradually proceeded. In October, Lord Lexington was appointed to go as Ambassador to Spain; and the renunciation of King Philip being drawn up in form, his Majesty signed it November the 5th, and swore upon the holy Evangelists to observe it, in presence of the Council of State and of the chief Nobility; after which, the Cortez of Spain being summoned to meet at Madrid, the King went in state to that Assembly, and declared to them, "that the efforts which the Nation had made with so much zeal and fidelity to secure his Crown in two perilous emergencies, were of such a nature as never to be forgotten. In order, therefore, to shew his gratitude, to procure peace for his people, and to be never separated from them, he renounced all pretensions which either himself or his issue might have to the Crown of France; and desired them to give their consent to it." Upon this, the Cortez confirmed and approved the renunciation; and the Crown of Spain, after King Philip's posterity, was limited to the House of Savoy. The like renunciation was made some months after by the Princes of France to the Crown of Spain: and

King Philip was declared incapable of ſucceeding to the Crown of France. In November, a farther ſuſpenſion of arms was agreed upon for four months, to which Portugal acceded. And the Britiſh forces in that kingdom were immediately recalled; as they had already been from Catalonia, in defiance of the utmoſt reſentment of the Emperor, and to the conſternation of the poor Catalans, who now ſaw themſelves abandoned by their pretended protectors, and delivered up to the mercy of their offended Sovereign.

At this period, the Duke of Hamilton, ſo long noted for his attachment to the Stuart family, was appointed Ambaſſador Extraordinary to the Court of France: but his Grace being killed in a duel with Lord Mohun, who himſelf alſo fell in the bloody conteſt, he was ſucceeded by the Duke of Shrewſbury.

Towards the end of the year, the Britiſh Plenipotentiaries at Utrecht ſignified to the States, that, if they would ſign the Preliminaries of Peace in conjunction with England, Tournay ſhould be added to their barrier. Their High Mightineſſes acceding to this propoſition, a new Barrier Treaty was concluded, differing from the former ſo much inveighed againſt only by its inferiority of ſtrength and ſecurity. It was not, however, till the month of April 1713 that the Britiſh Plenipotentiaries declared to the Miniſters of Holland and the Emperor,

peror, that they were ready, with the Miniſters of Pruſſia, Portugal and Savoy, to ſign their reſpective Treaties. The Imperial Ambaſſadors replied, that neither they nor the Miniſters of the Empire were ready to ſign, nor would they hearken to peace without the reſtitution of Straſburg. And they entered a formal proteſtation againſt the Treaty. But the Dutch thought proper to comply —equally proof againſt the menaces and entreaties of the diſſentient parties. And on the 11th of April 1713, the Treaty of Utrecht was completed. By this famous Treaty the Proteſtant Succeſſion was recognized by France, and the Pretender compelled to depart that kingdom: the union of the two Monarchies of France and Spain was provided againſt by mutual and ſolemn renunciations: the harbor of Dunkirk was demoliſhed, and the fortifications razed; Acadie, Hudſon's Bay, Newfoundland and St. Chriſtophers ceded in full right to England. Naples, Milan, and the Spaniſh Netherlands were yielded to the Emperor, together with Landau, Briſac and Fort Kehl on the ſide of Germany.—Sicily, by the particular and partial interpoſition of the Queen of England, was forcibly disjoined from Naples, and transferred to the Duke of Savoy with the regal title. And, in addition to the places actually poſſeſſed by the Dutch, Luxemburg, Namur, Charleroi, Ypres and Nieuport were aſſigned to the States as a perpetual barrier.

His Imperial Majeſty was allowed to the 1ſt of June, to declare his acceptance or non-acceptance of the terms propoſed.

No ſooner had this important intelligence reached London, than the Parliament was aſſembled; and the ſubſtance of the Treaty being laid before them, an Addreſs of congratulation was preſented by the two Houſes, whoſe example was followed by moſt of the Corporate Bodies, accompanied by great public rejoicings. In a few weeks Mr. Benſon, Chancellor of the Exchequer, offered to the Houſe of Commons copies of the Treaty of Peace with France, and alſo of Commerce, by which the manufactures of each Kingdom were admitted into the other, upon the payment of very low *ad valorem* duties. Political artifice and commercial prejudice being combined in oppoſition to this wiſe meaſure, the Bill for rendering the Treaty of Commerce effectual, was after violent debates rejected by a majority of 194 to 185 voices.

The Scottiſh Peers being extremely exaſperated at the determination of the Houſe of Lords excluding them from the honors of the Engliſh Peerage, and the Scottiſh Nation being alſo equally enraged at the recent impoſition of a heavy additional duty on malt, contrary, if not to the letter, at leaſt to the ſpirit of the Treaty of Union, which enacted that no duty ſhould be laid on malt in Scotland during the war; a motion was made by the

the Earl of Findlater for leave to bring in a Bill for diſſolving the Union. This, for the ſake of embarraſſing the Miniſtry, was warmly ſupported by the Whig Lords, Sunderland, Townſhend, Halifax, &c. who had once ſo zealouſly ſupported that meaſure. And, on the other hand, it was deſtined to be oppoſed by the Tories, who were the original and vehement oppoſers of the Union. The Lord Treaſurer having intimated in the courſe of the debate the poſſibility of remitting the duty in queſtion by virtue of the prerogative; the Earl of Sunderland expreſſed his aſtoniſhment that ſuch deſpotic principles, tending to the eſtabliſhment of a diſpenſing power in the Crown, ſhould be avowed or countenanced by the noble Lord. To this the Lord Treaſurer ſarcaſtically replied, "that *his* family had never diſtinguiſhed themſelves, as others had done, by adviſing arbitrary and deſpotic meaſures." Lord Sunderland, nettled at the alluſion to his father, retorted by obſerving, that, in thoſe times to which ſuch unfair reference was made, the noble Lord's family was ſcarcely known. The queſtion being put upon Lord Findlater's motion, it was negatived in a very full Houſe by a majority of four voices only—the numbers being 71 to 67 Peers, including proxies.

The ſentence of ſuſpenſion paſſed upon Dr. Sacheverel expiring about this time, great rejoicings were made upon the occaſion; and he was

appointed to preach before the Houſe of Commons on the 29th of May; which was followed, excluſive of the uſual and empty compliment of thanks, by a preſentation on the part of the Court to the lucrative rectory of St. Andrew's Holborn.

Towards the end of the ſeſſion a royal meſſage was ſent to the Houſe of Commons, acquainting them with the incumbrances under which the civil liſt now labored; and a grant for the ſum of 500,000l. was moved to diſcharge the debts of the Crown. The friends of the Earl of Godolphin, recently deceaſed, expreſſed their aſtoniſhment at this demand; and Mr. Smith, late Chancellor of the Exchequer, averred, "that to his certain knowledge the debts on the civil liſt did not in the month of Auguſt 1710 amount to 150,000l.—a trifling ſum, when the annual appropriation of one hundred thouſand pounds towards the expence of the war, the charge of maintaining the Palatines, of building Bleinheim houſe, &c. were taken into conſideration. It was intimated that the ſtatement was deceitful, and that the real object was to ſecure a large ſum, in order to influence the approaching General Election. And it was urged to be a moſt dangerous precedent for the Houſe to grant ſuch a demand, as the ſame compliance would be expected by all future Princes." But it was finally carried in a thin Houſe, and when the majority of the Members, ſuſpecting

ſuſpecting no ſuch thing, and the ſummer being now far advanced, had retired to their ſeats in the country.

At the motion of the Earl of Wharton and General Stanhope, Addreſſes were preſented to the Queen by both Houſes, humbly beſeeching her Majeſty to uſe the moſt preſſing inſtances to obtain the removal of the Pretender from Lorraine, whither he had recently retired, not without the ſecret approbation of the Court of London. And the Addreſſes paſſed with the cold and reluctant acquieſcence of the Tories, who dared not openly to oppoſe. It being aſked, naturally enough, in the courſe of the diſcuſſion, where the ſupporters of the motion would have the Pretender reſide; the Earl of Peterborough, who could ill ſupport the guiſe and ſemblance of Toryiſm, with warmth replied, "that ſince he began his ſtudies in Paris, the fitteſt place for him to improve himſelf was Rome." The object of the Addreſſes ſeemed, to thoſe untainted with the ſpirit of faction, incompatible with the national dignity, and indicated a weak and captious jealouſy. Sir William Whitlocke obſerved, "that he remembered a ſimilar addreſs being preſented to the Protector, for the removal of Charles Stuart from France; notwithſtanding which, he was in a ſhort time after reſtored to the throne." The Queen returned a gracious anſwer; but her "preſſing inſtances" to

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the Duke of Lorraine produced no effect. On the 16th of July, 1713, the Parliament was prorogued, and in a ſhort time after diſſolved by proclamation.

The celebrated Sprat, Biſhop of Rocheſter, dying at this juncture, was ſucceeded by Atterbury, late Prolocutor of the Convocation; as was Compton of London by the Biſhop of Briſtol. The Earl of Dorſet, one of the laſt Whigs in office, was removed from his Government of Dover Caſtle, which was given to the Duke of Ormond; and the Duke of Athol, a notorious Jacobite, ſuperſeded the Duke of Montroſe as Lord Privy Seal of Scotland. Nearly at the ſame time the Privy Seal of England was conſigned to the Earl of Dartmouth, Mr. Bromley being in his room appointed Secretary of State; and Sir William Wyndham ſucceeded Mr. Benſon as Chancellor of the Exchequer.

The peace with France was ſucceeded by new and alarming cabals and intrigues at home. The Lord Treaſurer ſtood in the ſingular predicament of being equally hated by the Whigs and Jacobitical Tories: by the firſt for having done too much, and by the latter too little, for the Pretender's intereſt. Oxford and Bolingbroke, the two principal leaders of Adminiſtration, had been long at variance*, and the diſſenſion between them now became open and public. Oxford was a man not

* Earl of Oxford's Memorial to the Queen.

remarkable for capacity; but long and intimately converſant in buſineſs, cloſe, plauſible, ſubtle, jealous, intriguing, and ambitious. He aimed at engroſſing the entire confidence of the Queen, and the ſole management of affairs; and inſtead of admitting Bolingbroke to the rank of a co-adjutor, he viewed him with the meanneſs of fear and ſuſpicion, as a competitor by whom he dreaded to be eclipſed, and perhaps ſupplanted. On the other hand, Bolingbroke, finding himſelf regarded in the light of a rival, made no ſcruple to become ſo. This celebrated Nobleman, excluſive of the exterior and perſonal advantages by which he was diſtinguiſhed, was poſſeſſed of abilities of the firſt order—of manners the moſt captivating, of eloquence the moſt commanding. In almoſt every thing the reverſe of the Earl of Oxford, his temper was open and generous; his conduct, both in public and private life, high-ſpirited and magnanimous; and his meaſures bold and deciſive. Equally with Oxford the ſlave of ambition, and leſs ſcrupulous in the means of gratifying it, there was good reaſon to fear leſt a Miniſter of this deſcription, in order to ſecure the favor of the Sovereign, who cheriſhed a ſecret but inveterate diſlike to the Houſe of Hanover, would engage with ardor in the proſecution of projects which the phlegmatic caution of Oxford would deem romantic and impracticable; and which were alſo abhorrent from

his

his feelings and principles. While Oxford entirely loſt the confidence of the Tories, which indeed he never perfectly poſſeſſed, by his ſlowneſs, duplicity and indeciſion; Bolingbroke gained ground, both with the Queen and the Faction, by the ſuperiority of his talents, his firmneſs and vigor. Reſolute and daring, from that conſciouſneſs of genius which led him to place an entire reliance upon the reſources of his own mind, he very early acquired, and ever after maintained, in a degree which no political leader ſince the death of Shafteſbury had ever been able to attain, the moſt ſurpriſing aſcendency over the opinions of all his political aſſociates. It is difficult to conjecture, however, under what pretence or color any attempt could have been made to ſubvert the Proteſtant Succeſſion, for which both parties publicly and uniformly profeſſed the moſt zealous attachment, and which was regarded as ſacred by a very great majority of the Nation. "The art of the Whigs," ſays Lord Bolingbroke himſelf, "was to blend as undiſtinguiſhably as they could all their party intereſts with thoſe of the Proteſtant Succeſſion; and they made juſt the ſame factious uſe of the ſuppoſed danger of it, as the Tories had endeavoured to make ſome time before of the ſuppoſed danger of the Church*." And there is every reaſon to believe, that if the Tories had taken any ſerious ſteps

* Letter to Sir William Wyndham.

with

with a view to effect the reſtoration of the exiled family, they would inſtantly have loſt all credit and influence both with the Parliament and the Country. On the change of Adminiſtration, the Earls of Oxford and Rocheſter, the Dukes of Shrewſbury and Buckingham, &c. wrote to the Electoral Court of Hanover, through the medium of Lord Rivers and Mr. Thomas Harley, couſin to the Treaſurer, ſucceſſively deputed thither, letters full of proteſtations of their zeal for its intereſt. The Earl of Rocheſter, in particular, congratulated his Electoral Highneſs upon "affairs being now in a better train, with reſpect to the ſucceſſion, than heretofore"—alluding probably to the oppoſition made by the Whigs to the project of the Tories for bringing over the Princeſs Sophia. And the Miniſter Harley declares, "that the late changes have given the greater and better part of the Nation an opportunity to expreſs their duty to that Serene Houſe*."

It is certain that the indiſcreet interference of the Elector relative to the negotiations with France, and the Memorial or Remonſtrance preſented by his Ambaſſador in London againſt the Project of Peace, gave extreme offence to the Queen; and from this period ſhe entertained, as it appears, frequent diſcourſes on the ſubject of her *brother's* reſtoration, and even expreſſed herſelf at times, though

* Macpherſon's Papers, vol. ii.

with great caution, in terms favorable to it. In a conference held by Mrs. Maſham with M. Meſnager, that lady acknowledged her Majeſty's ſecret inclination in favor of her *brother*, ſaying "that it would be an inexpreſſible ſatisfaction to her Majeſty to ſee herſelf delivered from the fatal neceſſity of doing ſo much wrong; and, if it could be poſſible *with ſafety to the religion and liberty of her ſubjects*, to have her BROTHER reſtored to his right, at leaſt after her deceaſe, if it could not be done before." She acknowledged, however, that the Queen did not ſee how this could be done—her brother being the object of the rage and irreconcileable averſion of the people. And in a letter ſubſequently written by Mrs. Maſham to M. Meſnager, dated March 2, 1712, ſhe tells him, "that the Court of St. Germaine's are fallen into the hands of my Lord Treaſurer, who ſhe doubts not values himſelf upon having deceived them."

The Duke of Leeds aſſured Leſley, the famous Non-juring Clergyman, that he had often endeavored to ſound the Queen upon this point, but that ſhe always declined to explain her ſentiments. But to the Duke of Buckingham, who ſtood beyond compariſon higher in her favor and confidence, ſhe was far more explicit. This Nobleman, in a curious epiſtle to the Earl of Middleton, dated Feb. 15, 1712, under the guiſe of fictitious names and enigmatical expreſſions, informs his Lordſhip

that

that the Queen complained "that her brother would not make the leaſt ſtep to oblige her." In anſwer to the Duke's arguments and remonſtrances, ſhe replied haſtily, "What would you have me do? You know that a Papiſt cannot inherit—therefore I had better do with a good grace what I cannot help."—And on being again urged, ſhe ſaid, "I do not ſee how I can undo what I myſelf have done, and done in ſuch a manner. He may thank himſelf for it. He knows I always loved him better than Hanover." The Duke adds, "that he is convinced, if the *King* would return to the Church of England, all would be eaſy—nay, if he would but barely give hopes he would do ſo *."

* It is very poſſible that the Duke of Buckingham, in his eagerneſs to make his court at St. Germaine's, may have been tempted to add ſome embelliſhments to his narrative of this converſation with the Queen, and it is therefore to be received with ſome caution. However this may be, certain it is, that the relation given by Mr. Macpherſon, in his hiſtory of the conference in queſtion, is by no means authoriſed by the Duke of Buckingham's own account as reported by the Agent Trevor; and the hiſtory is therefore to be read with ſtill more caution than the letter. Mr. M. makes the Queen ſay, "The example of the father has no weight with the ſon; he prefers his religious errors to the throne of a great kingdom. All would be eaſy, ſhould he enter the pale of the Church of England." This is abſolute fiction; for, though the Duke himſelf does indeed in the exceſs of his zeal make uſe of the *laſt words*, to aſcribe them to the Queen is a groſs falſification of hiſtory, and reſolves itſelf into inexcuſable negligence, or yet more inexcuſable miſrepreſentation.

Such

Such a change would doubtleſs have produced important conſequences; but, upon the whole, it is clear that the projects of the Jacobites met with no ſerious countenance or encouragement from the Court. The Earl of Strafford, who notwithſtanding his High-Church and Tory principles appears to have eſpouſed cordially and zealouſly the intereſts of the Electoral Houſe, affirms in his letter to the Princeſs Sophia, of December 1712, "That there is not one of a thouſand in the whole iſland who is a Jacobite." In a ſubſequent letter he ſays, "Believe me, Madam, all the noiſe made about the Pretender is groundleſs; and the Tories are full as much in your intereſt or rather more than the Whigs, though the latter have of late got a way of threatening the Tories with the Proteſtant Succeſſion, as if your Royal Highneſs, or thoſe of your illuſtrious Houſe who ſhould ſucceed the Queen, were not to reign over the Tories as well as the Whigs. I am ſure you know what is called Tory are thoſe which are for the Church of England." And in a letter of ſtill later date (May 1714), there is this remarkable paſſage: "After all the fooliſh and malicious outcry of the danger of the Pretender, I have aſked the people here (i. e. at the Hague) to tell me one thing done in his favor, or one thing left undone to exclude him, and to ſecure your ſucceſſion. Nay, I have deſired them to let me know what was deſired, or if there could be any thing

thing more done to ſecure the Proteſtant Succeſſion in your illuſtrious Houſe; and if they would tell me, I would engage it ſhould be done." Nevertheleſs, the Whigs were inceſſant in their exclamations that the preſent Miniſters were forming deep and dangerous deſigns againſt the Proteſtant Succeſſion and in favor of the Pretender. The Duke of Marlborough, in a letter to M. Robethon, of February 1714, declares himſelf rejoiced to find, "that the Republic," i. e. of Holland, "takes the alarm, and begins to wake out of the lethargy it had fallen into ſince the peace of Utrecht. And he affirms, that the Queen's ill health, and the Miniſters' making ſuch open ſteps in favor of the Pretender as to leave *no doubt* of their intentions to place him on the Throne, have brought things ſo near a deciſion, that, unleſs the States deſign to look on and ſee us loſt, and conſequently themſelves, they could no longer remain inactive."—And it appears in the courſe of the letter, that in conſequence of his repreſentations, together with thoſe of the other leaders of the Whigs, the States were equipping a great fleet to convoy a large body of forces to England, effectually to aſſert in caſe of need the Proteſtant Succeſſion in the Houſe of Hanover, of which they were the guarantees. This is therefore a demonſtrative proof of the real and zealous attachment of the Duke of Marlborough to the Hanoverian Succeſſion. Yet, ſtrange it is

to tell, that the groſſneſs of his political hypocriſy was ſuch, as to incite him to maintain preciſely the ſame exterior to the Court of St. Germaine's. In a confidential converſation with one of the Agents of that Court (Trevor), as reported to the Earl of Middleton (November 1711), he ſolemnly declared, "that nothing ſhould be wanting on his ſide, as occaſions ſhould preſent—that he thought the King's buſineſs could not fail of going forward, and *that his religion would not be any hindrance to it* —He ſaid, he knew the Princeſs of Denmark well, that ſhe was *a very honeſt perſon*, eaſily won and wrought upon; but who at bottom had certainly no averſion from her brother. But ſhe was one that muſt not be frightened—and that *any external force uſed would rather do harm than good*, both in regard to her and others.—Whereas, if things were ſuffered to go on in their own train, the King's buſineſs would go on of itſelf, and he doubted not would come to a happy concluſion *." It may be remarked, that the advice here given to the pretended King was in the higheſt degree artful and inſidious. For he intimates, 1ſt, that there exiſted no political neceſſity for changing his religion; and, 2dly, that it would be highly impolitic to make uſe of external force in order to effect his reſtoration; though, without employing one or other of theſe expedients, ſucceſs was, morally

* Macpherſon's Papers, vol. ii. p. 232.

ſpeaking,

ſpeaking, impoſſible; and the counſel of this 'traitor-friend' was manifeſtly calculated only to amuſe and to delude. The characters of the great leaders Oxford and Bolingbroke, however oppoſite, were equally adapted to impreſs the idea that extraordinary deſigns and projects were in agitation. Bolingbroke was a man of an adventurous and aſpiring genius—Oxford was full of ſecrecy and of myſtery; and he poſſeſſed for ſome years in reality, and ſtill in appearance, an unbounded influence over the Queen. "One is at a loſs," ſays Baron Schutz the Hanoverian Reſident, in a letter to Baron Bothmar (September 1713), "what character to give of this man: he told a ſtranger, who wanted to put him upon his guard againſt ſome one, 'I never truſted any one; I am determined not to truſt any one for the future; conſequently no one has deceived, or can deceive me.'" And we are informed in another letter from M. Galke, Secretary to the Embaſſy, "that in tranſacting buſineſs with the Treaſurer it is impoſſible to comprehend the anſwers he gives, much leſs to put them afterwards in writing." Such was at this period the political ſituation of Britain, and ſuch the ideas and apprehenſions prevailing in relation to the actual ſtate of things and their probable conſequences.

Since the diſmiſſion of the Earl of Wharton from the Government of Ireland, that Kingdom

had been ſinking under the baneful yoke of Tory influence and oppreſſion; Sir Conſtantine Phipps, Chancellor of the Kingdom, and one of the Lords Juſtices in the abſence of the Duke of Ormond, having the chief management of affairs. The Duke of Shrewſbury, a Nobleman admired, courted and feared by both parties, being on his return from France appointed Lord Lieutenant, arrived in Dublin October the 27th, 1713, and immediately checked the inſolence and virulence of the predominant faction, by declaring publicly that he was ſtill the ſame as in the year 1688; and on the birth-day of King William, November the 4th, he commemorated with great demonſtrations of regard and veneration the glorious and immortal memory of that Monarch. The Parliament of Ireland meeting, after a new election, on the 25th of November, were told by his Excellency the Lord Lieutenant in his opening ſpeech, that her Majeſty, having procured a ſafe and honorable peace, had nothing now to wiſh but that her ſubjects might enjoy the benefits and advantages of it;—that her Majeſty had nothing more at heart than the preſervation of the rights and liberties of her People, and the ſettling them upon a laſting foundation by ſecuring the Proteſtant Succeſſion in the Houſe of Hanover." As the Earl of Nottingham co-operated with the Whigs without loſing the confidence of the Tories; ſo the Duke

of Shrewſbury ſeemed to act with the Tories, without forfeiting his credit with the Whigs. The new Parliament convened under his auſpices ſoon manifeſted itſelf to be entirely Whig in inclination and principle. They forthwith ordered in a Bill to attaint the Pretender and his adherents; they took effectual meaſures to ſuppreſs all ſeditious and Jacobitical publications, which had been of late notoriouſly countenanced and encouraged; and they unanimouſly reſolved upon an Addreſs to the Queen for the removal of Sir Conſtantine Phipps from the Chancellorſhip. On the other hand, the Houſe of Lords, where the Tory intereſt prevailed, reſolved, that the Lord Chancellor Phipps had in his ſeveral ſtations acquitted himſelf with honor and integrity, and voted a Counter-addreſs. The two Houſes of Convocation attending at the Caſtle of Dublin to preſent an Addreſs ſimilar to that of the Lords; Mr. Moleſworth, afterwards Lord Moleſworth, ſo celebrated for his embaſſy to Denmark, being at this time a Member of the Iriſh Parliament and a Privy Counſellor of that Kingdom, ſaid aloud in the preſence and hearing of the Biſhops and Clergy: "They that have turned the world upſide down are come hither alſo." Enraged at this ſarcaſm, the Lower Houſe of Convocation ſent to the Upper a formal complaint of the words uttered by Mr. Moleſworth, which they aſſerted "to be an intolerable profanation of the Holy

Scriptures, and ſpoken with a deſign to caſt an odium and aſperſion on their Graces and Lordſhips, and the whole body of the Clergy; whom they humbly prayed their Lordſhips to vindicate from this wicked calumny." The Biſhops immediately laid this complaint before the Houſe of Lords, who deſired a conference with the Commons on this important buſineſs, and left with them a copy of the paper delivered by the Convocation. But the Commons would take no cognizance of the complaint: and no redreſs being obtainable in Ireland, recourſe was had to a direct repreſentation to the Queen, by whom Mr. Moleſworth was, to the diſgrace of the preſent adviſers of the Crown, removed from the Privy Council.

The proceedings of the Iriſh Parliament being extremely diſliked by the Engliſh Miniſters, the Duke of Shrewſbury received orders to prorogue them, and they were ſuffered to meet no more during this reign. The Lord Lieutenant himſelf began to be very uneaſy at his preſent ſituation, where he now found himſelf little better than a State pageant. He knew the Queen's health to be extremely impaired; and, having certain meaſures to keep, and views to anſwer, he deſired and obtained leave to return to England; the Lord Chancellor Phipps, the Primate Lindſey, and the Archbiſhop of Tuam being in his abſence appointed Lords Juſtices of the Kingdom.

When

When the Treaty of Utrecht was ſigned, Count Zinzendorf, Ambaſſador from the Court of Vienna, declared the reſolution of the Emperor to carry on the war, and hazard all rather than ſubmit to the preſcribed conditions. But the war being continued with ill ſucceſs on the part of Prince Eugene, who commanded on the Rhine with a very inferior force, during the ſummer of 1713, againſt M. Villars; and the French capturing the cities of Landau and Fribourg; the Imperial pride began to liſten ſeriouſly to the overtures of France, and a definitive peace was concluded at Al-Raſtadt November 1713, by which Naples, Milan, Sardinia and the Low Countries were ceded to the Houſe of Auſtria. The evacuation of Catalonia was agreed to, and a ſuſpenſion of arms with Spain; but Charles refuſed to recogniſe the title of his rival, King Philip. And the important fortreſs of Landau, which the Emperor might have ſecured by acceding to the Treaty of Utrecht, now remained with France. Soon after this were exchanged the ratifications of the Treaty between Great Britain and Spain; by which it was ſtipulated, that the Aſſiento Contract for ſupplying the Spaniſh Colonies with negroes ſhould be granted to England for the term of thirty years; that no part of the Spaniſh Weſt Indies ſhould ever be alienated from the Crown of Spain to France or any other nation. Gibraltar and Minorca

norca were ceded for ever to England: Sicily was yielded to the Duke of Savoy, but to revert to Spain in caſe of a failure of the line of Savoy. The Catalans were to receive a *pardon* on ſubmiſſion, and to enjoy the privileges of the inhabitants of the Caſtiles—i. e. in other words, they were to be diveſted of their own free Conſtitution, which they prized far more highly.

The war in the North of Europe ſtill continued, much to the diſadvantage of Sweden. The King of Denmark, who had long courted the favors of fortune in vain, at length ſucceeded in the ſiege of Stade, and in the ſubſequent reduction of the Duchy of Bremen, and contiguous principality of Verden. In the mean time the Czar invaded Finland with a great force, and reduced the whole province, with Abo its capital. And Count Steenbock the Swediſh General, who had long maintained his ground in Pomerania with great courage and ability, ſuſtained a grievous reverſe of fortune, and was compelled to ſurrender with his whole army priſoners of war—an event which ſtruck the Swediſh Nation with general conſternation. After ſeveral years' reſidence in Bender, the King of Sweden received orders from the Porte to quit the Ottoman territory; the Grand Seignor undertaking to procure him a ſafe paſſage to his own dominions: but with an obſtinacy and raſhneſs bordering upon inſanity he refuſed compliance, and fortified

fortified himſelf in the houſe where he reſided. But this being carried after ſuſtaining a regular aſſault, the King himſelf was made a priſoner and conveyed to Adrianople; the Swedes who had accompanied him to Turkey being for the moſt part ſold for ſlaves. After a variety of romantic adventures, the King of Sweden returned to his own kingdom, there to involve himſelf and his ſubjects in new dangers and new difficulties.

Towards the concluſion of the preſent year (1713), the aſcendency acquired by Lord Bolingbroke in the Cabinet began plainly to appear; and the reſignation of the Lord Treaſurer was the public theme of converſation. This added much to the fears and apprehenſions of the Whigs—Lord Bolingbroke being accounted the author of all the moſt obnoxious and violent meaſures lately adopted. At the end of December the Queen was ſeized with a ſevere fit of the gout, from which ſhe recovered very ſlowly and imperfectly. The public funds fell prodigiouſly, and there followed a great run upon the Bank; but, the Queen declaring in a letter to the Lord Mayor her intention to open the Parliament in perſon on the 16th of February (1714), the alarm ſubſided. On the day prefixed the new Parliament accordingly met, being opened, notwithſtanding the preceding intimation, by commiſſion: and Sir Thomas Hanmer was choſen Speaker without oppoſition. But on the

the 2d of March the Queen went to the Houſe of Lords, and delivered a popular ſpeech, in which ſhe took occaſion to remark, "that there were ſome who had arrived at that height of malice as to inſinuate that the Proteſtant Succeſſion in the Houſe of Hanover was in danger under her Government. Thoſe," ſaid ſhe, "who go about thus to diſtract the minds of men with imaginary dangers, can only mean to diſturb the preſent tranquillity, and bring real miſchief upon us." This declaration was much better received by the Commons, who differed little from the complexion of their immediate predeceſſors, than the Peers, where the Whigs were ſo numerous and powerful. The grand queſtion being brought forward by the Earl of Wharton, whether the Proteſtant Succeſſion was in danger under the preſent Adminiſtration; a very warm debate of many hours' continuance enſued. And the Lord Treaſurer Oxford, laying his hand upon his heart, declared "that he had on ſo many occaſions given ſuch ſignal proofs of his affection to the Proteſtant Succeſſion, that he was confident no Member of that auguſt Aſſembly could ever mean to call it in queſtion." The Proteſtant Succeſſion was at length voted out of danger by a ſmall majority, the numbers being 76 againſt 64. Upon this occaſion the Earl of Angleſey, who had the reputation of being at the head of the *Trimmers*, with various others of that ſaga-

cious CORPS divided with the Whigs: and the moſt probable reaſon why ſo many of this claſs voted the Proteſtant Succeſſion to be in danger, was their firm perſuaſion that it was perfectly ſafe, and would ſpeedily take place.

The Earl of Wharton then moved, that an Addreſs ſhould be preſented to the Queen, to iſſue a proclamation promiſing a reward to any perſon who ſhould apprehend the Pretender dead or alive. To which Lord Trevor very humanely and properly propoſed to add, "in caſe of his landing or attempting to land in Great Britain or Ireland." To the motion thus mitigated and modified the Houſe agreed; and, on its being preſented to the Queen, ſhe replied in the following terms: "My Lords, it would be a real ſtrengthening to the Succeſſion in the Houſe of Hanover, as well as a ſupport to my Government, that an end were put to thoſe groundleſs fears and jealouſies which have been ſo induſtriouſly promoted. I do not at this time ſee any occaſion for ſuch a proclamation: whenever I judge it to be neceſſary, I ſhall give my orders for having it iſſued."

The next ſtep which the never-ceaſing jealouſy of the Whigs led them to adopt, was to perſuade the Court of Herenhauſen, after much reluctant heſitation indeed, to order Baron Schutz to demand of the Chancellor a writ for the Electoral Prince as Duke of Cambridge, with a view to his reſi-

dence

dence in England, in direct contradiction to the ſentiments and policy they had ſo ſtrenuouſly defended in the early part of the preſent reign. It was now the turn of the Tories to oppoſe; and though it was impoſſible to deny the writ, the Queen expreſſed, in a letter to the Princeſs Sophia, her diſapprobation of the deſign in terms ſo pointed and forcible, that it was thought expedient to lay it aſide. Her Majeſty not only ſtated her ſurpriſe that an attempt ſhould be made ſo derogatory from her dignity and royal authority, but *her determination to oppoſe it, however fatal the conſequences might be.* And the Earl of Oxford in a letter to Baron Waſſenaer (April 1714), after declaring his unalterable and devoted attachment to the intereſts of the Electoral family, informs him *in confidence*, that one thing only can prejudice the Succeſſion in that Serene Houſe; which is, the endeavor to bring them or any of them over without the Queen's conſent. In order to prove the ſincerity of his profeſſions, the Lord Treaſurer had in the courſe of the preſent ſeſſion offered to Schutz the option of an Act empowering the Electreſs to name all the *Regents*, to the excluſion of the Great Officers of State; which it would have been the groſſeſt folly to have propoſed, had any real deſign been harbored inimical to the Succeſſion. But the Whig leaders treated the offer as artful and inſidious, ſaying, that he only wanted an opportunity

portunity of tampering with the Act of Succeſſion. Though the conduct of the Elector was very indiſcreet in regard to the two important points of the war and the writ demanded for the Electoral Prince; yet was it upon the whole cautious, temperate and judicious. It appears that the heads of the Whig party entertained at times ſchemes and projects highly romantic and extravagant; and that they had in particular a plan in contemplation, for the Elector to convey himſelf to England at the head of a body of Hanoverian troops—and if the States General refuſed to provide ſhips for the purpoſe, it was ſuggeſted that they might be had from the King of Denmark. Of this propoſition the Elector declared his total diſapprobation—and Robethon, in his diſpatches to England, treats the whole plan as dangerous, abſurd and impracticable.

The Earl of Oxford was not ignorant of theſe machinations—as a public proof of which, he moved in the Houſe of Peers a Bill "for the further ſecurity of the Proteſtant Succeſſion," making it high treaſon to bring foreign troops into the kingdom. But it was forcibly objected, that a law againſt bringing troops into Great Britain to ſupport the cauſe of the Pretender was unneceſſary; ſince ſuch troops, if foreigners, might be treated as enemies—if natives, might be puniſhed as rebels: and the Bill was ſilently dropped.

It was a great object with the Elector to procure

cure a royal *appanage* for his mother the Electreſs, who complained that ſhe had as yet gained nothing by the Engliſh Succeſſion but ſome ſheets of parchment. Mr. Thomas Harley, when at Hanover, had flattered the Electoral Court that the Lord Treaſurer would contribute to this with all his power, acknowledging that nothing could be more juſt—yet it was never mentioned in Parliament by either Tories or Whigs. On the contrary, the latter were very earneſt and importunate in their applications for money to the Elector, who parted with it, as may well be imagined, very reluctantly. And when it was propoſed to him to advance a large ſum to ſecure a majority of Members at the laſt General Election, he abſolutely and very properly refuſed, ſaying, "that the Court would always have the heavieſt purſe—That the Nation muſt exert itſelf, for that he could not ſave them againſt their will." The death of the Electreſs taking place at this period; the Elector of Brunſwic was, by an order of the Court, prayed for by name in all churches and chapels throughout England, as preſumptive heir to the Engliſh Crown.

In May, a Bill to prevent the growth of ſchiſm was introduced, by which Diſſenters were, under very ſevere penalties, prohibited from all interference in the buſineſs of education. "For though," according to the obſervation of Lord Bolingbroke, who was the chief adviſer and defender of this, as

of

of all the more daring and violent meaſures of the preſent Adminiſtration, "the evil *effect* was perhaps without remedy, and therefore entitled to ſome indulgence; the evil *cauſe* ought to be prevented, and was entitled to none." Notwithſtanding the utmoſt efforts of the Whigs, who were inflamed with a juſt indignation at this atrocious invaſion of the natural rights of mankind, this deteſtable Bill paſſed through the Houſe of Commons by a very great majority, viz. 237 againſt 126 voices. It was then carried by Sir William Wyndham, the original mover of it, up to the Houſe of Lords, where it excited one of the moſt violent and memorable debates which had occurred ſince the Revolution. The conduct of Lord Bolingbroke upon this occaſion clearly demonſtrated, that the unprincipled effrontery of infidelity may produce effects nearly ſimilar to, and full as fatal as, the moſt bigoted and furious fanaticiſm. This Nobleman, on the firſt reading of the Bill, declared it to be of the laſt importance, ſince it concerned the ſecurity of the Church of England, the beſt and firmeſt ſupport of the Monarchy—both which all good men, and more eſpecially the Members of that auguſt Aſſembly, who derive their luſtre from and are neareſt the Throne, ought to have moſt at heart: and he concluded with moving that it be read a ſecond time. The motion was oppoſed by the Lords Cowper, Wharton, Halifax, Townſhend,

ſhend, Nottingham, &c. It is a ſingular fact, that both the great leaders of the Adminiſtration, Oxford and Bolingbroke, were educated in the principles of Nonconformity; and in alluſion to this circumſtance the Earl of Wharton expreſſed his ſurpriſe to ſee men brought up in the boſom of Diſſent become the moſt zealous champions of the Church—and thoſe who had been indebted for their great acquirements to the ſeminaries deſcribed in the Bill, moſt forward for the ſuppreſſion of them. "It was melancholy," his Lordſhip ſaid, "that at a time when the Nation was menaced with the dangers of popery and ſlavery, a Bill ſhould be introduced tending to create diviſions amongſt Proteſtants, to weaken their intereſt, and to haſten their ruin. This would indeed be wonderful, did we not know the madneſs of thoſe Stateſmen who had deviſed and now ſtood forward as the ſupporters of the preſent Bill. To any other deſcription of perſons it would ſeem prepoſterous to ſtyle that ſchiſm in England which is the eſtabliſhed religion of Scotland—The counterpart of the meaſure was ſtill wanting; and he expected the Scottiſh Peers in the Houſe would move for another Bill to prevent the growth of ſchiſm in their own country. Precedents and authorities had been cited in favor of the preſent meaſure, but there was one authority of the higheſt weight which had not yet been mentioned. He acknowledged that it would have

come

come with moſt force and propriety (turning round to the Biſhops) from that venerable Bench; but ſince their Lordſhips had been wholly ſilent in this debate, he would himſelf tell them, that it was the rule of the Goſpel to do unto others as we would be done unto." The Earl of Nottingham, whoſe attachment to the Church no one would venture to call in queſtion, owned, "he had formerly been of opinion that the occaſional conformity of Diſſenters was dangerous to the Eſtabliſhed Church, and therefore he had ever promoted the Bill to prevent it; but that, the Church having now that ſecurity, he believed her ſafe and out of danger, and therefore he thought himſelf in conſcience obliged to oppoſe ſo barbarous a law as this." The Lord Treaſurer, agreeably to his weak, wavering, and myſterious policy, contented himſelf with ſaying, "that he had not yet conſidered of the Bill, but when he had he would vote according as it appeared to him to be either for the good or detriment of the Country: he declared therefore for the ſecond reading." But in the ſubſequent ſtages of the Bill he abſented himſelf from the Houſe. A petition from the Diſſenters to be heard by Counſel againſt the Bill was rejected by 72 voices againſt 66. In the progreſs of the buſineſs a clauſe was inſerted, extending the operation of the Bill to Ireland, though the Duke of Shrewſbury, Lord Lieutenant of the Kingdom, declared ſtrongly againſt it,

by a majority of 57 to 51 voices. And the general and final queſtion, that the Bill do now paſs, was carried by 77 to 72 voices. The royal aſſent was given, on the 25th of June, to the Schiſm Act, which was to take effect on the 1ſt of Auguſt following. But, in the deſtined courſe of events, on that very day a reverſe of fortune fatal to the authors of this infamous Bill took place—the dynaſty of the Stuarts came to its termination, and "the laſt ſpark of that direful Houſe went out."

Not to anticipate too far, it is ſufficient to ſay, that this was the ultimate triumph of the Tory party, many of whom were undoubtedly diſpoſed to have gone far greater lengths. But the Queen's conſtitution was now ſo entirely broken, that it was evident ſhe approached towards the concluſion of her life; and the Miniſters of the Crown, in the alarming proſpect of her diſſolution, thought of little elſe than their private intereſts and perſonal ſafety. Oxford and Bolingbroke were now ſo exaſperated againſt each other, that they could not abſtain from the moſt indecent and bitter altercation, even in the preſence of the Queen. On the 8th of June the Earl of Oxford preſented a Memorial to the Queen, containing a recapitulation of the principal events of his Adminiſtration—vindicating his own conduct, and reflecting with great acrimony upon that of his antagoniſt—whom he charged with endeavoring to enliſt a ſeparate party

for

for himſelf in the Houſe of Commons from the beginning of February 1711. And in his uſual obſcure and myſterious language, he declares, "that the tranſactions which paſſed during his long confinement and abſence from buſineſs from the attempt of Guiſcard were too black to mention." But this remonſtrance made no impreſſion upon the mind of the Queen, who was now entirely alienated from the Lord Treaſurer, whoſe aſcendency over her had for ſome years been unſhaken and abſolute. Not a ſingle meaſure however was adopted at this critical period by the confidential Miniſters of the Crown, from which it could be inferred that they entertained deſigns inimical to the Proteſtant Succeſſion. On the contrary, attempts having been made to enliſt men for the ſervice of the Pretender; a Proclamation was immediately iſſued, promiſing a reward of 5000l. for apprehending the Pretender whenever he ſhould land, or attempt to land, in Great Britain or Ireland. Both Houſes voted an Addreſs of Thanks for this Proclamation; and the Commons, as a farther and demonſtrative proof of their attachment to the Proteſtant Succeſſion, aſſured her Majeſty, "that they would out of the firſt aids grant the ſum of 100,000l. as a farther reward to any who ſhall perform ſo great a ſervice to her Majeſty and her kingdoms; and alſo that they would heartily concur with her Majeſty in all other meaſures for extin-

guiſhing the hopes of the Pretender, and all his open and ſecret abettors." And this Addreſs was preſented to the Queen by the whole Houſe. At the ſame time, Lord Bolingbroke himſelf brought in a Bill, denouncing the penalties of high treaſon againſt thoſe who ſhould enliſt or be enliſted in the Pretender's ſervice. On the 9th of July the ſeſſion was terminated by a Speech from the Throne, in which the Queen affirmed, "that her chief concern was to preſerve the Proteſtant Religion, the liberty of her ſubjects, and the tranquillity of the kingdom."

On the 27th of July (1714) the Earl of Oxford, who in the preſence of the Queen had thrown out an impotent menace "to leave ſome perſons as low as he found them," was unexpectedly diveſted of the ſtaff of Treaſurer: and Bolingbroke found himſelf elevated to the ſummit of power by the ſudden and total fall of his rival. This ſplendid pre-eminence, however, he enjoyed only for a moment. The Queen, who was perceived to be extremely agitated from the time of the diſmiſſion of Lord Oxford, never recovered her compoſure of mind; but, as if altogether exhauſted by inceſſant fatigue, chagrin, and vexation, gradually ſank into a kind of lethargy, in which ſtate ſhe remained till Sunday Auguſt 1, 1714, when ſhe expired, in the 50th year of her age, and thirteenth of her reign.

Whatever

Whatever projects Bolingbroke might have in contemplation, they were entirely disconcerted by the firmness and spirit with which the leaders of the Whig party acted upon this occasion. A Meeting of the Privy Council being convened when the Queen was on the verge of departure; the Dukes of Somerset and Argyll entered the Council Chamber, without any previous summons, to the astonishment of the majority of the Members. But the Duke of Shrewsbury arose and thanked them for their readiness to assist the Council in that critical juncture. They then took their places; and it being represented as of the highest importance that the office of Lord Treasurer should be immediately filled, the Duke of Shrewsbury, already occupying the posts of Lord High Chamberlain, and Lord Lieutenant of Ireland, was proposed and unanimously agreed upon as the fittest person for that great trust. The Queen's physicians, on examination, assuring the Council that her Majesty was still sensible; the Chancellor and several other Lords were nominated to attend her. On being informed of the recommendation of the Privy Council, she expressed her entire approbation of it, and, giving with her own hands the Treasurer's staff to the Duke, charged him "to use it for the good of her people." The Queen, after an interval of some hours, relapsing into her lethargic state; the Council proceeded by the most vigorous

meaſures to provide for the ſecurity of the kingdom. Orders were diſpatched to ſeveral regiments of horſe and dragoons to march towards the metropolis. Directions were given for equipping a fleet with all expedition. An expreſs was ſent off to the Elector of Hanover, ſignifying, that the Queen's life was deſpaired of, and deſiring that he would without delay repair to Holland, where he would find a Britiſh ſquadron ready to convoy him to England. Inſtructions were at the ſame time diſpatched to the Earl of Strafford, Ambaſſador at the Hague, to demand from the States the performance of their engagements, as guarantees of the Proteſtant Succeſſion: and the heralds at arms were kept in waiting in order to proclaim the new King the inſtant the throne ſhould become vacant. No ſymptoms of popular tumult or diſcontent, much leſs of oppoſition, appeared on this great occaſion; and whatever might be intended, it is certain nothing was effected by the late Queen and her Miniſters in favor of the Pretender. The death of that Princeſs muſt, notwithſtanding, upon the whole, be regarded as a very ſeaſonable and fortunate event. For, had Bolingbroke been fully eſtabliſhed in the poſt of Prime Miniſter, it is impoſſible to aſcertain the extent of the miſchief which might eventually have reſulted from the union of ſuch uncommon talents with ſuch a total want or diſregard of principle.

Of

Of the favorable opinion univerſally entertained by the Engliſh Nation reſpecting the general purity and rectitude of intention which diſtinguiſhed this laſt and beſt of the Sovereigns of the Houſe of Stuart, the epithet of the *good* Queen Anne, ſo commonly applied to this Princeſs, is itſelf a ſufficient proof. This *good Queen*, however, had imbibed in a very great degree the hereditary prejudices of her family reſpecting the nature and extent of the regal authority; and there is reaſon to believe that the ſucceſsful reſiſtance of the Nation to the late King James was in her eyes juſtified only by the attempts made to eſtabliſh Popery upon the ruins of the Proteſtant religion; to which, in the form exhibiting itſelf to her perception, as inculcated and profeſſed by the Church of England, ſhe entertained a zealous attachment, or rather a blind and bigoted devotion. As her prejudices, civil and religious, preciſely coincided with thoſe of the Tories, ſhe cheriſhed a ſtrong predilection for that powerful and dangerous faction, in oppoſition to the Whigs, who were conſidered for the moſt part as latitudinarians in religion, or at beſt as cool and lukewarm friends of the Church; and who certainly regarded the particular mode in which the Proteſtant religion was profeſſed as of little importance, when put in competition with the preſervation, enlargement, or ſe-

curity of the civil and religious liberties of the kingdom. But however blameable were the maxims and meaſures of her Adminiſtration, the Queen, individually conſidered, merits our pity at leaſt as much as our cenſure. Her partiality for her own family, and her diſlike of the Houſe of Hanover, were natural and pardonable. The Queen's own political conduct, notwithſtanding her high theoretical principles of government, was uniformly regulated by the ſtricteſt regard to the laws and liberties of the kingdom, for the welfare of which ſhe entertained even a maternal ſolicitude. And if ever ſhe indulged the idea of cauſing the Crown at her deceaſe to revert to the hereditary, and doubtleſs as ſhe imagined the true and rightful, claimant, it was only on conditions which in her opinion would have effectually ſecured both the Proteſtant Religion and the Engliſh Conſtitution from the hazard of future violation. In her perſon the Queen was comely and majeſtic. Her voice was harmonious: ſhe was not deficient in any of the accompliſhments of her ſex; and ſhe was a model of relative and domeſtic virtues. Her diſpoſition was, upon the whole, eaſy and gentle, though on particular occaſions ſomewhat ſullen and reſentful; and ſhe diſcovered an exceſſive jealouſy of the minuteſt encroachments upon her authority. Her capacity was extremely limited,

limited, but her intentions were always upright and laudable; and throughout the entire courſe of her reign, whether under the influence of Whigs or Tories, ſhe could boaſt the high and flattering eulogium of a boundleſs and irreſiſtible popularity.

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